

# FEDERAL REGISTER



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## TITLE 6—AGRICULTURAL CREDIT

### Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

#### Subchapter C—Loans, Purchases, and Other Operations

[1953 C. C. C. Grain Price Support Bulletin 1, Supp. 1, Amdt. 2, Barley]

#### PART 601—GRAINS AND RELATED COMMODITIES

#### SUBPART—1953-CROP BARLEY LOAN AND PURCHASE AGREEMENT PROGRAM

##### BASIC COUNTY SUPPORT RATES

The regulations issued by the Commodity Credit Corporation and the Production and Marketing Administration published in 18 F. R. 1963, 4617, and containing the specific regulations for the 1953-crop Barley Price Support Program are hereby amended as follows:

Section 601.33 (c) (1) is amended by adding to the list of basic county support rates: Red River County, Texas—\$1.21 per bushel.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup. 714b. Interprets or applies sec. 5, 62 Stat. 1072; secs. 301, 401, 63 Stat. 1053; 15 U. S. C. Sup. 714; 7 U. S. C. Sup. 1447, 1421)

Issued this 24th day of August 1953.

[SEAL] M. B. BRASWELL,  
Acting Executive Vice President,  
Commodity Credit Corporation.

Approved:

HOWARD H. GORDON,  
Acting President,  
Commodity Credit Corporation.

[F. R. Doc. 53-7549; Filed, Aug. 27, 1953; 8:50 a. m.]

[1953 C. C. C. Grain Price Support Bulletin 1, Supp. 1, Amdt. 3, Wheat]

#### PART 601—GRAINS AND RELATED COMMODITIES

#### SUBPART—1953-CROP WHEAT LOAN AND PURCHASE AGREEMENT PROGRAM

##### MISCELLANEOUS AMENDMENTS

The regulations issued by Commodity Credit Corporation and the Production and Marketing Administration published in 18 F. R. 2733, 3979, 4153 and 4489 and

containing the specific requirements for the 1953-Crop Wheat Price Support Program are hereby amended as follows:

1. Section 601.103 (c) is amended by changing the designation of subparagraph (3) to (4) inserting a new subparagraph (3) and providing for a reference to the new subparagraph (3) in subparagraph (4) so that the amended paragraph (c) reads as follows:

#### § 601.103 Eligible wheat. \* \* \*

(c) Such wheat must be:

(1) Wheat of any class grading No. 3 or better; or

(2) Wheat of any class grading No. 4 or 5 on the factor of "test weight" and/or because of containing "Durum" and/or "Red Durum" but otherwise grading No. 3 or better; or

(3) In Minnesota, Montana, North Dakota, and South Dakota, wheat of any class grading Sample on the factor of test weight only but otherwise meeting the requirements of subparagraphs (1) or (2) of this paragraph and having a test weight of not less than 40 pounds per bushel; or

(4) Wheat of the class Mixed Wheat, consisting of mixtures of grades of eligible wheat as stated in subparagraphs (1) (2) or (3) of this paragraph provided such mixtures are the natural products of the field.

2. Section 601.105 (c) is amended by extending the schedule therein to apply to wheat testing as low as 40 pounds per bushel so that the amended paragraph reads as follows:

#### § 601.105 Determination of quantity. \* \* \*

(c) When the quantity of wheat is determined by measurement, a bushel shall be 1.25 cubic feet of wheat testing 60 pounds per bushel. The quantity determined shall be the following percentages of the quantity determined for 60 pound wheat:

For wheat testing:	Percent
65 pounds or over.....	108
64 pounds or over, but less than 65 pounds.....	107
63 pounds or over, but less than 64 pounds.....	105
62 pounds or over, but less than 63 pounds.....	103
61 pounds or over, but less than 62 pounds.....	102

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For wheat testing:	Percent
60 pounds or over, but less than 61 pounds .....	100
59 pounds or over, but less than 60 pounds .....	98
58 pounds or over, but less than 59 pounds .....	97
57 pounds or over, but less than 58 pounds .....	95
56 pounds or over, but less than 57 pounds .....	93
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For wheat testing:	Percent
48 pounds or over, but less than 49 pounds.....	80
47 pounds or over, but less than 48 pounds.....	78
46 pounds or over, but less than 47 pounds.....	77
45 pounds or over, but less than 46 pounds.....	75
44 pounds or over, but less than 45 pounds.....	73
43 pounds or over, but less than 44 pounds.....	72
42 pounds or over, but less than 43 pounds.....	70
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3. Section 601.108 (c) is amended by adding the following subparagraph (4) at the end thereof:

§ 601.108 *Determination of support rates.* \* \* \*

(c) *Discounts and premiums.* \* \* \*

(4) *Special discounts for wheat grading sample on factor of test weight only.*<sup>1</sup>

Test weight	Discount for hard red spring wheat	Discount for wheat of all other classes
Pounds	Cents per bushel	Cents per bushel
50.....	0	2
49.....	2	4
48.....	4	6
47.....	6	8
46.....	8	10
45.....	10	12
44.....	12	14
43.....	14	16
42.....	16	18
41.....	18	20
40.....	20	22

<sup>1</sup> These discounts are in addition to the discount of 9 cents per bushel for wheat grading No. 5 on the basis of test weight only and in addition to any other applicable discounts.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup., 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1054; 15 U. S. C. Sup. 714c, 7 U. S. S. Sup. 1441, 1421)

Issued this 24th day of August 1953.

[SEAL] M. B. BRASWELL,  
Acting Executive Vice President,  
Commodity Credit Corporation.

Approved:

HOWARD H. GORDON,  
Acting President,  
Commodity Credit Corporation.

[F. R. Doc. 53-7551; Filed, Aug. 27, 1953; 8:51 a. m.]

[1953 C. C. C. Grain Price Support Bulletin 1, Supp. 1, Amdt. 2, Rye]

#### PART 601—GRAINS AND RELATED COMMODITIES

##### SUBPART—1953-CROP RYE LOAN AND PURCHASE AGREEMENT PROGRAM BASIC COUNTY SUPPORT RATES

The regulations issued by the Commodity Credit Corporation and the Production and Marketing Administration, published in 18 F. R. 1979, 4787 and containing the specific regulations for the 1953-Crop Rye Price Support Program are hereby amended as follows:

Section 601.208 (c) (1) is amended by adding to the list of basic county support rates: Navarro County, Texas—\$1.46 per bushel.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 301, 401, 63 Stat. 1053, 1054; 15 U. S. C. Sup. 714c, 7 U. S. C. Sup. 1447, 1421)

Issued this 24th day of August 1953.

[SEAL] M. B. BRASWELL,  
Acting Executive Vice President,  
Commodity Credit Corporation.

Approved:

HOWARD H. GORDON,  
Acting President,  
Commodity Credit Corporation.

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## TITLE 15—COMMERCE AND FOREIGN TRADE

### Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

#### Subchapter C—Office of International Trade

[6th Gen. Rev. of Export Regs., Amdt. P. L. 53]

#### PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

##### MISCELLANEOUS AMENDMENTS

Section 399.1 *Appendix A—Positive List of Commodities* is amended in the following particulars:

1. The following commodities are deleted from the Positive List:

Dept. of Commerce Schedule B No.	Commodity
601201	Iron bars.
601203	Skelp, wrought iron.
601205	Iron pipe.
601207	Wrought iron pipe, welded, black.
601209	Wrought iron pipe, welded, galvanized.
602210	Skelp, carbon steel (report skelp, wrought iron in 601203).
602650	Bars, concrete reinforcement (all concrete reinforcing bars, whether plain, deformed, round, or square and rolled from new billet steel, rail steel, cast steel, in coils or cut to lengths).
602670	Tool steel bars: Carbon steel.
	Hollow drill steel bars: Carbon steel.
	Steel sheets, black, ungalvanized (including painted): Carbon steel (including black iron sheets) (report tin-mill black plate in 603319): Hot-rolled.
603325	Cold-rolled.
603335	Steel sheets, galvanized (all steel grades): Corrugated and formed galvanized sheets, including roofing, corrugated, V-cripp, and channel drain; ridge rail, valley, and flashing (except flat); siding, corrugated and brick.
603391	Flat galvanized sheets, including flashing.
603392	Steel sheets, coated (all steel grades), except waste-waste roofing long term sheets and other waste-waste long term sheets (report galvanized steel sheets in 603391-603392).
603394	Steel sheets for enameling (all steel grades).
603396	Tin mill black plate, except rejects (including misprints and strips), wasters, and waste-wasters.
603398	Short termplate, except waste-waste (report long term sheets in 603394).
604160	Termplate, decorated, embossed, lithographed, lacquered, or otherwise advanced, except lithographic misprints.
604100	

Dept. of Commerce Schedule B No.	Commodity
603450	Rails, trackwork and track accessories: Tie plates.
603500	Track spikes.
603500	Railway bolts, nuts, washers, and lock nuts.
603530	Trackwork and track accessories, n. e. c. (report rail bolts in 603450).
603530	Wire springs (all steel grades) (report wire springs of nonferrous metal, except products, in 603530): Helical and cushion springs, except complete helical springs.
603530	Tool bit blanks, and dies, and inserts for tool and rock drill bits.
603530	Other tool bit blanks, not ground.
603530	Bar hardware: Bolts, screws, nuts, rivets, and washers, n. e. c., not specially fabricated for particular machines or equipment (specify by name): Iron and steel (report railway track construction and maintenance hardware in 603530).
603530	Nails, staples, spikes, and tacks: Wire nails, staples, and spikes (all nails, staples, and spikes made from wire): Iron and carbon steel, except staples for office use and industrial stapling machine staples.
603530	Alloy steel, except staples for office use and industrial stapling machine staples.
603530	Nails, staples, and spikes, except wire: Cut nails.
603530	Pipe fittings not specially fabricated for particular machines or equipment: Iron pipe fittings, n. e. c. (specify by name) (report cast iron soil pipe fittings in 603530).
603530	Steel pipe fittings, carbon (specify by name and grade of steel).
603530	Fabricated steel products: Perforated sheets, carbon steel.
603530	Wire products, n. e. c. (report wire nails, staples, and spikes in 603530-603533): Chain link fence.
603530	Other fencing and netting (all metals).
603530	Wire-reinforcing fabric: Iron and steel welded fabric; and iron and steel welded mesh.
603530	Bag and bale ties (all metals).
603530	Metal manufactures, n. e. c., and parts, n. e. c.: Iron and steel (specify by name): Punchings (including stampings), except electrical steel (report electrical steel punchings including stampings in 603530).
603530	Steel shot, except abrasive (report abrasive steel shot in 542050).
603530	Flexible tubing, except electrical.
603530	Tubular steel scaffolding equipment.

2. The following are changed from RO to R commodities:

Dept. of Commerce Schedule B No.	Commodity
542050	Abrasive products: Iron and steel shot, chilled.
606700	Pig iron, all grades (specify grade).
601602	Steel ingots, blooms, billets, slabs, sheet bars, and tin-plate bars: Carbon steel: Ingots.
601603	Billets, profile and shell steel.
601603	Billets (except profile and shell steel), blooms, slabs, sheet bars, and tin-plate bars.
601610	Tube rounds, carbon steel.
601610	Other semifinished material for seamless pipe tubing, carbon steel.
601610	Wire rods, carbon steel.
602010	Steel bars, including bar size shapes: Bars, cold finished (all cold drawn or cold rolled flats, rounds or special sections in coils or cut lengths): Disc steel bars, carbon steel.
602010	Other carbon steel bars.
602010	Bars, hot-rolled, except tool and hollow drill steel bars (all regular bars and special sections and bar shapes under 3 inches) (report tool steel bars in 602010 and hollow drill steel bars in 602010): Carbon steel: Bars, profile and shell steel.
602010	Disc steel bars.
602010	Other carbon steel bars.

Dept. of Commerce Schedule B No.	Commodity	Dept. of Commerce Schedule B No.	Commodity
605420	Rails, trackwork and track accessories: Rail joints and splice bars: Carbon steel.	618976	Buildings, prefabricated and knockdown, with or without appurtenances: Iron and steel, except corn cribs, grain bins, and silos (specify by name).
605510	Switches, frogs, and crossings: Carbon steel.		
618961	Fabricated steel products: Towers and poles, fabricated (specify by name).		
618973	Culverts and sections, corrugated or plain, coated or uncoated, with or without accessories.		

3. The following revisions are made in commodity descriptions. These revisions include changes in validated license control where indicated:

Dept. of Commerce Schedule B No.	Commodity	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required
603710	Steel strip, coated or uncoated, except electrical (report electrical steel strip in 603595):	Lb.	STEE	100	RO
603810	Cold-rolled carbon steel, gilding metal clad <sup>1</sup> ----- Hot-rolled carbon steel, gilding metal clad <sup>2</sup> -----	Lb.	STEE	100	RO
605000	Structural shapes and piling: Sheet piling (all steel grades), except formed <sup>3</sup> ----- Pipe, tubes, and tubing, n. e. c. (pipe assemblies specially fabricated for particular machines or equipment should be reported as parts of such machines or equipment):	Lb.	STEE	1,000	RO
607710	Pipe and tubing, carbon steel, n. e. c. except specially fabricated single units (report pipe assemblies specially fabricated for particular machines or equipment as parts of such machines or equipment). <sup>4</sup>	Lb.	STEE 17	100	RO
608120	Steel wire, n. e. c. (all round, shaped, and flat wire regardless of use) (report electrical insulated wire and cable in 709810-709885): Uncoated wire, carbon steel, except strapping wire (report bag and bale ties in 619067). <sup>5</sup> Coated wire, except galvanized (all steel grades): Barbed wire. <sup>6</sup>	Lb.	STEE	100	RO
608300	Castings, iron and steel, rough and semifinished: Carbon steel castings, except grinding balls <sup>7</sup> -----	Lb.	STEE	100	RO
610410	Forgings, rough and semifinished: Carbon steel forgings, except grinding balls <sup>8</sup> -----	Lb.	STEE 1	500	RO
610493	Fabricated steel products: Plates, fabricated, punched or shaped, n. e. c., except pallets for concrete blocks. <sup>9</sup>	Lb.	STEE	100	RO
618963	Steel pipe, lined with any corrosion-resistant materials as defined in the "General Notes to Appendix A." <sup>10</sup>	Lb.	STEE 17	100	RO
618975	Welding rods and wires: Carbon steel, electric <sup>11</sup> ----- Other iron and steel, electric (specify grade of steel) <sup>11</sup> ----- Carbon steel, nonelectric <sup>12</sup> ----- Other iron and steel, nonelectric (specify grade of steel). <sup>12</sup>	Lb.	STEE	100	R
619031	Wire products, n. e. c. (report wire nails, staples, and spikes in 618267-618273): Woven wire belts or belting <sup>13</sup> -----	Lb.	STEE	100	RO
619033		Lb.	STEE	100	RO
619033		Lb.	STEE	100	RO
619033		Lb.	STEE	100	RO
619069		Lb.	STEE	500	RO

<sup>1</sup> The above entry is substituted for the three entries presently on the Positive List under Schedule B No. 603710. The effect of this revision is to delete cold-rolled carbon steel strapping and other cold-rolled carbon steel strip except gilding metal clad.

<sup>2</sup> The above entry is substituted for the three entries presently on the Positive List under Schedule B No. 603810. The effect of this revision is to delete hot-rolled carbon steel strapping and other hot-rolled carbon steel strip except gilding metal clad.

<sup>3</sup> The above entry is substituted for the entry presently on the Positive List under Schedule B No. 605000. The effect of this revision is to delete formed sheet piling.

<sup>4</sup> The above entry is substituted for the first entry presently on the Positive List under Schedule B No. 607710. The effect of this revision is to delete specially fabricated carbon steel pipe and tubing.

<sup>5</sup> The above entry is substituted for the entry presently on the Positive List under Schedule B No. 608120. The effect of this revision is to delete carbon steel strapping wire.

<sup>6</sup> The above entry is substituted for the entry presently on the Positive List under Schedule B No. 608300. The effect of this revision is to delete twisted wire.

<sup>7</sup> The above entry is substituted for the two entries presently on the Positive List under Schedule B No. 610410. The effect of this revision is to delete cast carbon steel grinding balls.

<sup>8</sup> The above entry is substituted for the two entries presently on the Positive List under Schedule B No. 610493. The effect of this revision is to delete forged carbon steel grinding balls.

<sup>9</sup> The above entry is substituted for the entry presently on the Positive List under Schedule B No. 618963. The effect of this revision is to delete steel pallets for concrete blocks.

<sup>10</sup> The above entry is substituted for the entry presently on the Positive List under Schedule B No. 618975. The effect of this revision is to delete lined steel pipe other than that lined with corrosion-resistant materials.

<sup>11</sup> The above two entries are substituted for the second entry presently on the Positive List under Schedule B No. 619031. The effect of this revision is (1) to change the controls from RO to R for carbon steel electric welding rods, and (2) to remove the IC/DV requirements (§ 373.2 of this subchapter), dollar-limit (DL) restrictions (§ 374.2 (e) of this subchapter), evidence of availability requirements (§ 373.3 of this subchapter), and to make available the Time Limit (TL) license (Part 377 of this subchapter) for these commodities.

<sup>12</sup> The above two entries are substituted for the entry presently on the Positive List under Schedule B No. 619033. The effect of this revision is (1) to change the controls from RO to R for carbon steel nonelectric welding rods, and (2) to remove them from the IC/DV requirements (§ 373.2 of this subchapter).

<sup>13</sup> The above entry is substituted for the entry presently on the Positive List under Schedule B No. 619069. The effect of this revision is to delete wire products other than woven wire belts or belting.

This amendment shall become effective as of 12:01 a. m., August 25, 1953.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 67 Stat. 62; 50 U. S. C. App. Supp. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

REX A. ANDERSON,

Acting Director,

Office of International Trade.

[F. R. Doc. 53-7487; Filed, Aug. 27, 1953; 8:45 a. m.]

## TITLE 31—MONEY AND FINANCE: TREASURY

### Chapter I—Monetary Offices, Department of the Treasury

#### PART 54—GOLD REGULATIONS

#### FILING OF APPLICATIONS FOR CERTAIN TYPES OF GOLD LICENSES

The text of §§ 54.7, 54.24, and 54.25 (b) of the Gold Regulations (31 CFR Part 54, 17 F. R. 7888) as hereby amended, is set forth below. These amendments alter provisions dealing with applications for certain types of gold licenses in that henceforth such applications shall be filed directly with the Director of the Mint, Treasury Department, Washington, D. C., rather than with a United States Mint or Assay Office.

These amendments are made without notice and public procedure thereon, because such procedures are deemed to be impracticable and unnecessary.

Accordingly, effective upon publication in the FEDERAL REGISTER, §§ 54.7, 54.24, and 54.25 (b) of the Gold Regulations (31 CFR Part 54) are amended to read as follows:

§ 54.7 *General provisions affecting export licenses.*<sup>1</sup> At the time any license to export gold is issued, the Bureau of the Mint, or Federal Reserve Bank issuing the same, shall transmit a copy thereof to the collector of customs at the port of export designated in the license. No collector of customs shall permit the export or transportation from the continental United States of gold in any form except upon surrender of a license to export, a copy of which has been received by him from the agency issuing the same (except that licenses on Form TGL-15 (general) covering multiple shipments during a quarterly period are retained by the licensees until the expiration of such period, when they are returned to the Director of the Mint) *Provided, however*, That the export or transportation from the continental United States of fabricated gold may be

<sup>1</sup> The regulations in this part shall not be construed as relieving any person from the obligation of compliance with the regulations of the Office of International Trade (15 CFR Parts 360 to 399), the Bureau of Customs (19 CFR Chapter 1), or other laws or regulations relating to the importation or exportation of merchandise, where applicable to imports or exports of gold, or articles containing gold.

permitted pursuant to § 54.25 (b) (2) and the export or transportation from the continental United States of gold imported for re-export may be permitted pursuant to § 54.44: *And provided further* That gold held by the Federal Reserve banks under §§ 54.28 to 54.30, inclusive, may be exported for the purposes of such sections without a license. The collector of customs to whom a license to export is surrendered shall cancel such license and return it to the Director of the Mint or to the Mint or the Federal Reserve Bank which issued the same. In the event that the shipment is to be made by mail, a copy of the export license shall be sent by the agency issuing the same to the postmaster of the post office designated in the application, who will act under the instructions of the Postmaster General in regard thereto.

§ 54.24 *Applications.* Every application for a license under paragraph (a) of § 54.25 shall be made on Form TG-12 (except that applications for export licenses shall be made on Form TG-15) and shall be filed in duplicate with the Director of the Mint, Treasury Department, Washington, D. C. Every applicant for a license under paragraph (a) of § 54.25 shall state in his application whether or not any applications have been filed by or licenses issued to any partnership, association, or corporation in which the applicant has a substantial interest or, if the applicant is a partnership, association, or corporation, by or to a person having a substantial interest in such partnership association or corporation. The Director of the Mint shall not issue any license to any person if in judgment of the Director more than one license for the same purpose will be held for the principal use or benefit of the same persons or interests. Any person licensed under this subpart acquiring a principal interest in any partnership, association, or corporation, holding a license under this subpart for this purpose shall immediately so inform the Director of the Mint.

#### § 54.25 *Licenses.* \* \* \*

(b) *Licenses and authorizations for the exporting of gold—*(1) *Semi-processed gold.* Semi-processed gold as defined in § 54.4 may be exported or transported from the continental United States only pursuant to a separate export license. Such licenses shall be issued by the Director of the Mint upon application made on Form TG-15 establishing to the satisfaction of the Director that the gold to be exported is semi-processed gold and that the export or transport from the continental United States is for a specific and customary industrial, professional, or artistic use and not for the purpose of using or holding or disposing of such semi-processed gold beyond the limits of the continental United States as, or in lieu of money, or for the value of its gold content.

(Sec. 5 (b) 40 Stat. 415, as amended, secs. 3, 8, 9, 11, 48 Stat. 340, 341, 342; 12 U. S. C. 95a, 31 U. S. C. 442, 733, 734, 822b, E. O. 6260, Aug. 28, 1933, E. O. 6359, Oct. 25, 1933; E. O. 9193, July 6, 1942, as amended, 7 F. R. 5205; 3 CFR

1943 Cum. Supp., E. O. 10269, Sept. 17, 1951, 16 F. R. 9439, 3 CFR 1951 Supp.)

[SEAL] H. CHAPMAN ROSE,  
*Acting Secretary of the Treasury.*

[F. R. Doc. 53-7558; Filed, Aug. 27, 1953;  
8:52 a. m.]

## TITLE 32—NATIONAL DEFENSE

### Chapter V—Department of the Army

#### Subchapter D—Military Reservations and National Cemeteries

##### PART 553—NATIONAL CEMETERIES

#### INTERMENTS AND DISINTERMENTS; BLANK AMMUNITION FOR VETERANS' ORGANIZATIONS FOR USE IN NATIONAL CEMETERIES

A new § 553.8 is added, and in § 553.5 (a) subparagraphs (4) (ii) and (10) are amended to read as follows:

§ 553.5 *Interments and disinterments—*(a) *Who may be interred.* \* \* \*

(4) *Officers and Employees, Public Health Service.* \* \* \*

(ii) By virtue of authority granted by section 216, act of July 1, 1944 (58 Stat. 690; 42 U. S. C. 217) Executive Order 9575, June 21, 1945, superseded by Executive Order 10349, April 26, 1952, and as amended by Executive Order 10350, May 29, 1952, Executive Order 10362, June 14, 1952, and Executive Order 10367, June 30, 1952, established the Public Health Service as a military service for the period of World War II and consecutive periods thereafter. Accordingly, all officers of the commissioned corps of the Public Health Service who served at any time during the period December 8, 1941, to and including July 3, 1952, and whose services terminated honorably are entitled to burial in national cemeteries regardless of when death occurs. Dependents of these officers are entitled to the same burial privileges as are afforded dependents of eligible military personnel.

(10) *Members or former members of Reserve components of the Armed Forces.* Members or former members of the Reserve components who have rendered service on active duty, other than active duty merely for training purposes, are eligible provided their last active service terminated honorably. Membership alone in a Reserve component does not constitute service within the meaning of the act of May 14, 1948 (62 Stat. 234, 24 U. S. C. Sup. 281)

§ 553.8 *Blank ammunition for veterans' organizations for use in national cemeteries.* (a) The act of May 26, 1952 (66 Stat. 94; 50 U. S. C. 62) authorized the free issue of caliber .30 blank ammunition to national veterans' organizations recognized by the Veterans' Administration, Washington 25, D. C., for use at funerals and other ceremonies within national cemeteries. The following is a list of veterans' organizations recognized by the Veterans' Administration:

The American Legion.  
The American Red Cross.  
AMVETS.  
American Veterans of World War II.

Disabled American Veterans.  
The Marine Corps League.  
The United Spanish War Veterans.  
The Veterans of Foreign Wars of the United States.  
The American Veterans Committee, Inc.  
The Army Mutual Aid Association.  
Army and Navy Union.  
USA Blinded Veterans Association.  
Catholic War Veterans of the United States.  
The Coast Guard League.  
The Fleet Reserve Association.  
Jewish War Veterans of the United States.  
Military Order of the World Wars.  
The National Jewish Welfare Board.  
The National Society Army of the Philippines.  
The National Tribune.  
The Navy Mutual Aid Association.  
Regular Veterans Association.  
The Disabled Emergency Officers of the World Wars.  
The Military Order of the Purple Heart.  
United Indian War Veterans, USA.

(b) Ammunition shipped to national cemeteries under the provisions of the act of May 26, 1952, will not be issued for use outside the national cemetery.

[C3, AR 201-5, Aug. 10, 1953] (R. S. 161; 5 U. S. C. 22)

[SEAL] Wm. E. BERGIN,  
*Major General, U. S. Army,*  
*The Adjutant General.*

[F. R. Doc. 53-7523; Filed, Aug. 27, 1953;  
8:45 a. m.]

#### Subchapter G—Procurement

##### PART 590—GENERAL PROVISIONS

##### SUBPART H—PROCUREMENT ACTION REPORTING

Subpart H is rescinded and a new Subpart H substituted therefor, as follows:

Sec.  
590.800 Scope of subpart.  
590.801 General.  
590.802 Data to be included.  
590.803 Forms.  
590.804 Number of copies and routing.  
590.805 Frequency and due dates.  
590.806 Reporting activities.  
590.807 Procurement action to be reported.  
590.808 Instructions for preparation of DD Form 350. (Individual Procurement Action Report)  
590.809 Instruction for preparation of Monthly Summary of Procurement actions (DA Form 377) (Reports Control Symbol CSGLD-534)  
590.810 Retention of Procurement Action Reports.  
590.811 Reports in connection with actions taken under the authority of Title II, First War Powers Act, 1941, as amended.

AUTHORITY: §§ 590.800 to 590.811 issued under R. S. 161; 5 U. S. C. 22. Interpret or apply 62 Stat. 21; 41 U. S. C. Sup. 151-161.

SOURCE: Army Procurement Circular 17, July 8, 1953.

§ 590.800 *Scope of subpart.* This subpart sets forth (a) instructions for the preparation of the Procurement Action Report and (b) reference to Munitions Board requirements regarding actions taken under the authority of Title II, First War Powers Act, 1941, as amended. It implements the Armed Services Procurement Regulation gen-

erally rather than a specific part or section thereof.

§ 590.801 *General.* To conform with the provisions of Public Law 413, 80th Congress, Armed Services Procurement Act of 1947, and with instructions of the President of the United States, and to provide the Assistant Chief of Staff, G-4, Department of the Army, with management data essential to staff control over Army procurement, procurement action reports will be prepared on the forms and submitted at the times prescribed in this subpart. Heads of Procuring Activities (as defined in § 400.201-4 of this title) may issue implementing instructions, as required to their Contracting Officers. A copy of each such implementation will be forwarded, as issued, to the Assistant Chief of Staff, G-4, Department of the Army, Attn: Chief, Purchase Branch.

§ 590.802 *Data to be included.* Data reported will cover all procurement actions (see § 590.807) transacted under the provisions of the Armed Services Procurement Regulation and this Procedure by all Contracting Officers of the Army Establishment. Procurement actions for civil functions, such as Engineers Civil Works and Alaskan Communications System, are not included in this reporting requirement.

§ 590.803 *Forms.* Reports will be prepared on DA Form 377 (Monthly Summary of Procurement Actions) and DD Form 350 (Individual Procurement Action Report) (Reports Control Symbol CSGLD-525). Supply of forms will be requisitioned through normal publications supply channels.

§ 590.804 *Number of copies and routing.* (a) The original of each DD Form 350 will be forwarded to the Assistant Chief of Staff, G-4, Department of the Army, Attn: Chief Purchases Branch, in all cases except where the head of a technical service requires the original of the report for coding purposes. In cases where the original of the report is forwarded to the head of the technical service, a copy of the report will be forwarded to the Assistant Chief of Staff, G-4, Department of the Army, Attn: Chief of Purchases Branch. Heads of Procuring Activities may require extra copies of DD Form 350 to be furnished by their Contracting Officers. The original of DA Form 377 will be forwarded to the Assistant Chief of Staff, G-4, Department of the Army, Attn: Chief Purchases Branch, and a copy of the report will be forwarded to the appropriate Heads of Procuring Activities. DA Form 377 will not be forwarded to the Department of Labor, Wage and Hour and Public Contracts Division. Letters of transmittal will not be used in submitting either individual or monthly report.

(b) For each unclassified or restricted procurement action having a value of over \$10,000 and subject to the Walsh-Healey Public Contracts Act (Subpart F of Part 411 of this title) two additional copies of the top portion of DD Form 350 (first 13 items) will be prepared by the installation which effects the procure-

ment and forwarded direct to Department of Labor, Washington 25, D. C., Attn: Wage, Hour and Public Contracts Division. These additional copies will not be prepared for actions bearing a security classification higher than Restricted.

(c) One additional copy of DD Form 350 will be submitted to the Assistant Chief of Staff, G-4, Department of the Army, Attn: Chief Purchases Branch, when the dollar value of the action reported is \$500,000 or more.

(d) One additional copy of DD Form 350 will be submitted to the Assistant Chief of Staff, G-4, Department of the Army Attn: Chief Purchases Branch, in the case of all oversea procurement actions involving Mutual Security Assistance (MSA) funds.

(e) A supplementary report will be prepared for each contract or amendment of a contract involving new procurement for \$1,000,000 or more to be performed in labor shortage areas (those classified in Group I by the Department of Labor). Four copies of this supplementary report will be appended to the four additional copies of DD Form 350 and forwarded to Assistant Chief of Staff, G-4, Department of the Army, Attn: Chief Purchases Branch. The supplementary report will contain the following information:

(1) Manpower requirements (on basis of information obtained from contractor)

(i) Current total employment (number of persons) of Contractor at place of manufacture shown in item 6 of DD Form 350. Indicate month.

(ii) Estimated employment at the same facility for work solely on the new contract during the peak month of operation on that contract. State month and year.

(iii) Net additional manpower required (actual new hires) at the same facility for work on new contract to attain employment shown in subdivision (ii) of this subparagraph. (This figure cannot be larger than the figures noted in subdivision (ii) of this subparagraph but may in some instances be smaller due to transfer of employees from other military or civilian work which is phasing out.)

(2) If the entry in subparagraph (1) (iii) of this paragraph is 200 or more:

(i) A brief statement of information and advice furnished by local Employment Service Office,

(ii) A brief explanation of the overriding factors which made placement of the contract in the labor shortage area necessary or advisable despite adverse manpower conditions. (In the case of formally advertised procurements, the making of an award, pursuant to existing procurement directives, to a Contractor located in a Group I area will be considered as a sufficient overriding factor for this purpose.)

(f) Distribution chart:

PROCUREMENT ACTION REPORTS—DD FORM 350

	AO of S, G-4 (Attn: Chief, Purchases Branch)	Head of procuring activity	Department of Labor, Wash- ington 25, D. C., Attn: Wage and Hour and Public Contracts Di- vision <sup>1</sup>
<i>DD Form 350</i>			
	<i>Copies</i>	<i>Copies</i>	<i>Copies</i>
Actions over \$10,000 but less than \$500,000 subject to Walsh-Healey Public Contracts Act. (Unclassified or Restricted only.)	1	1	2.
Actions over \$10,000 but less than \$500,000 subject to Walsh-Healey Public Contracts Act. (Classified above Restricted.)	1	1	None.
Actions over \$500,000 subject to Walsh-Healey Public Contracts Act. (Unclassified or Restricted only.)	2	1	2.
Actions over \$500,000 subject to Walsh-Healey Public Contracts Act. (Classified above Restricted.)	2	1	None.
Actions over \$1,000,000 to be performed in Labor Shortage Areas, Group I (with supplemental report).	5	1	None.
All oversea actions involving Mutual Security Assistance Funds (regardless of dollar value).	2	1	None.
All actions for research and development or industrial mobilization (regardless of dollar value).	1	1	None.
Actions over \$500,000 for research and development or industrial mobilization.	2	1	None.
All actions for letter contracts (regardless of dollar value).....	1	1	None.
Actions over \$500,000 for letter contracts.....	2	1	None.
All actions for definitive contracts superseding letter contracts (regardless of whether additional funds are obligated).	1	1	None.
All actions on amendments involving price redetermination (regardless of dollar value).	1	1	None.

<sup>1</sup> Only top portion of DD Form 350 to be furnished Department of Labor.

§ 590.805 *Frequency and due dates.* The procurement action reporting forms (DD Form 350 and DA Form 377) will be submitted as follows:

(a) Class I installations and activities will forward the original DA Form 377 and the original of each DD Form 350 at the same time. These forms for the completed calendar month will be forwarded not later than the 5th day of the following month.

(b) Class II installations and activities will prepare DD Form 350 for each reportable procurement action and forward this form within four working days after

the date an individual action as described in § 590.807 is transacted. DA Form 377 will be forwarded not later than the 10th day of the following month. (See § 590.809 (a))

(c) Oversea Purchasing Offices will prepare DD Form 350 for each reportable procurement action and forward this form within four working days after the date an individual action as described in § 590.807 is transacted. DA Form 377 will be forwarded not later than the 10th day of the following month. (See § 590.809 (a))



(d) As soon as practicable after an individual procurement action is transacted, the additional copies of DD Form 350 with attached four copies of supplementary report required by § 590.804 (e), will be forwarded by procuring installations of the Army establishments in the continental United States to the Assistant Chief of Staff, G-4, Department of the Army (Chief, Purchases Branch). However, submission of these extra copies and the attached report will not be allowed to delay transmission of the other copies of DD Form 350 within the required period.

(e) Negative DA Forms 377 will be submitted by all reporting activities when appropriate.

§ 590.806 *Reporting activities.* The Procurement Action Report (DD Form 350 and DA Form 377) will be prepared by all Contracting Officers of the Army Establishment in the continental United States, its territories and possessions, major overseas commands, attaches and foreign missions, designated as such pursuant to § 590.450, transacting purchases, procurements or executing contracts payable from appropriated funds (§ 590.251).

§ 590.807 *Procurement action to be reported.* (a) A "procurement action" means any type of agreement or order for the procurement of supplies or services which obligates funds as set forth in § 590.806. It includes, by way of description and without limitation, awards; contracts of a fixed-price, cost-plus-a-fixed-fee, exchange, or time and material; delivery orders, job orders, task orders or task letters issued against open end or indefinite quantity contracts; letter orders, letters of intent, and purchase orders. It includes modifications (amendments, change orders, and supplemental agreements) with respect to any of the foregoing (see Subpart D of Part 402 of this title). It also includes the purchasing, renting, leasing, or otherwise obtaining supplies or services from either private sources or Governmental agencies outside of the Department of Defense. (For interdepartmental procurement see § 590.808, Item 15.) It excludes requisitions transferring supplies or services within, or between the military departments or the joint procurement agencies of the Department of Defense. (For interservice procurement, see § 590.808, Item 15.) It excludes the renting or leasing of real estate and requisitions transferring supplies or services within or between the military departments or the joint procurement agencies of the Department of Defense. (For interservice procurement, see § 590.808, Item 15.)

(b) Term contracts, open-end contracts, indefinite quantity contracts, or agreements for obtaining supplies, which do not include specific quantities or total dollar value, will not be reported by the activity which executes such contracts. Activities which execute individual purchase instruments or orders against such contracts will report each individual action of \$10,000 or over on DD Form 350 and will report the sum of all purchases irrespective of dollar value on DA

Form 377. Similarly, job orders against Army Establishment manufacturing installations will not be reported, but contracts for materials necessary to accomplish the job order will be reported.

(c) Except as indicated in paragraph (d) of this section DD Form 350 will be submitted for individual procurement actions where the dollar value is \$10,000 or more. Except as indicated in paragraph (d) of this section, DD Form 350 will be submitted for each modification (amendment, change order, or supplemental agreement) increasing or decreasing the value of a contract by \$10,000 or more, regardless of value of basic contract and regardless of whether basic contract was executed prior to effective date of Public Law 413, 80th Congress (May 19, 1948).

(d) The following procurement actions or modifications thereto will be reported in every instance without regard to any dollar value limitation:

(1) Action negotiated under section 2 (c) (1) which prior to the declaration of the National Emergency would have been negotiated under sections 2 (c) (11) and 2 (c) (16) of Public Law 413;

(2) All overseas procurement actions involving MSA funds;

(3) All letter contracts.

(4) Definitive contracts superseding letter contracts regardless of whether additional funds are obligated.

(5) All amendments involving price redetermination.

§ 590.808 *Instructions for preparation of DD Form 350 (Individual Procurement Action Report)*—(a) *Item 1, report number.* (1) This number will represent the serial number of DD Form 350 submitted by each office, installation, activity, or individual within the current fiscal year, suffixed by the last two digits of the fiscal year. The report covering the first procurement action taken in fiscal year 1954 by each office will bear the number "1-54," and consequently thereafter for subsequent procurement actions. The report covering the first procurement action taken in each succeeding fiscal year, beginning July 1, will again bear the number "1," followed by the last two digits of the fiscal year. In those instances where more than one activity in a purchasing office utilizes the same station number, block of numbers will be assigned to each activity by the purchasing office to avoid duplication of report numbers. The numbering will be in accordance with the date of the report, Item 39, and not according to the date of the procurement action, Item 11. If the report covers a modification (amendment, change order, or supplemental agreement) with respect to a procurement action previously reported, also enter the number of the most recent procurement action report number related to the contract involved.

(2) If block (3) (4) (5), (6) or (7), of Item 8 has been checked, this space should have a previous report number in addition to the number for this report.

(b) *Item 2; department.* Enter "Army" if not so pre-printed.

(c) *Item 3; bureau, technical service, or command.* Enter the name of the

Procuring Activity having responsibility for the procurement action; such as Quartermaster Corps, European Command, Third Army, National Guard, etc. (See § 590.809 (d).)

(d) *Item 4; procuring office and address.* Enter title, address, and station number in sufficient detail to establish readily the identity of the office, installation, activity, or individual preparing the report.

(e) *Item 5a; contractor name and business address.* Enter the name and business address, including street or post office box, of the contractor or vendor with whom the procurement action was transacted.

(f) *Item 5b; division of.* In cases where the contractor or vendor identifies himself as a division of a parent company, enter the name of the parent company concerned.

(g) *Item 6; place of performance.* (1) Enter the actual location of the vendor's place of business from which the items will be supplied or the plant in which the items will be produced. If the items are to be supplied from a vendor or plant to which the contractor subcontracts the order, or for which the contractor acts as a broker or factor, the name and location of the vendor or plant from which the items will be supplied will be entered. In case of construction and design contracts, enter actual site of construction and design. If more than one location is entered, and one of the locations is a surplus labor area, the surplus labor area must be listed first. (See Item 17.) If the supply or production source is unknown, not available, or identical with Item 5a, so indicate.

(2) The place of performance should be carefully checked with Item 17 to ascertain that, if this contract has been placed in a labor surplus area, the numerical designation is the same as the place of performance. (See DMP No. 4.) If there is more than one place of performance mentioned in Item 6, and only one of the locations is "labor surplus" there should be an entry in "Remarks" to show the actual amount awarded to the "labor surplus area."

(h) *Item 7, contractual instrument number.* Enter the complete number of the contract to which this report pertains in accordance with § 590.603.

(i) *Item 8; kind of procurement action.* Place an "X" mark in the appropriate box to show whether:

(1) Action is a preliminary instrument such as a letter of intent or letter contract;

(2) Action is a new definitive contract (includes Purchase Order and notice of award)

(3) Action is a definitive contract superseding a preliminary instrument, if this is the case, record under Item 10 only the change (debit or credit) from value reported for preliminary instrument; (if there is no change in dollar value from the preliminary instrument, the report must still be prepared and submitted, but no entry will be made in Item 10),

(4) Action is an order other than Purchase Order such as Job Order, Task Order, or Delivery Order against open-end contracts;

## RULES AND REGULATIONS

(5) If action is a modification, place another "X" mark in the appropriate box to show whether it is an amendment;

(6) Change order, or

(7) Supplemental agreement, and enter the number thereof. If this item is checked in block (3) pull previous report to determine that a letter order was previously reported, check "Remarks" (Item 24) to see that necessary letter contract information appears.

(j) *Item 9a; item number* For identification of item numbers in block 25 on all procurements involving MSA funds.

(k) *Item 9b; description of commodity or service and end use of commodity.* (1) Enter a brief, explicit description of the major items being procured. This description must be in sufficient detail to permit identification of the commodity for determining purchase assignment. In making this determination, the use of the commodity is frequently a deciding factor, especially in the case of spare parts for trucks, for radios, for clocks, etc. Accordingly, the use of the commodity will be indicated, where applicable, in addition to the brief description of the item. In the case of research and development contracts this description must be in sufficient detail to permit identification of the project for the Congressional report required under Public Law 557, 82d Congress. Heads of Procuring Activities may require, by supplemental instructions, detailed lists of all the separate items to be appended. If the description of the item bears a security classification, enter only the word "Classified," except in the case of research and development contracts.

(2) This entry should be checked with Items 9f and 9g to determine that correct coding has been accomplished.

(l) *Item 9c; unit.* Enter, if practicable, the unit of measure of the item being procured: Viz, each, ton, square feet, etc.

(m) *Item 9d; quantity.* Enter, if practicable, the quantity of the item being procured. In case of amendments or supplemental agreements enter only the increase or decrease in quantity

(n) *Item 9e; unit price.* Insert unit price which appears in the contract.

(o) *Item 9f; commodity code or class.* Use first two digits of the Standard Commodity Code Classification, Volume No. 1, 1946.

(p) *Item 9g; DDCP No.* A notation will be made in item 9g showing the Department of Defense Claimant Program Code Number (applicable to use of DO ratings) this may be abbreviated as DDCP A4, etc.

(q) *Procurement program definitions.* These program definitions are published in this paragraph in order to assist in the uniform compilation of reporting data in the area of funds, materials, and item requirements, and procurement schedules. They will be used in the completion of Item 9g of the Individual Procurement Action Report (DD Form 350)

1. Department of Defense Procurement Programs are groupings of items in terms of CMP allocations (materials), dollar value, or end item quantitative requirements.

2. These programs have been developed in order to group for reporting purposes consistent and reconcilable information in terms of materials, funds, and end items.

3. When planned use is known at the time of purchase, each procurement program will include all items pertaining to the following:

a. Crating, packaging materials and dunnage.

b. Conversion, maintenance and repair:

(1) Materials.

(2) Service (performed by civilian contractors).

(3) Operating supplies.

(4) Parts and spares.

c. Related training equipment and devices (including technical manuals and publications).

d. Related research and development and reproduction materials and equipment (but

excluding construction of research and development facilities which are included in Program C-2).

When planned use is not known, a and b above will be identified to Program C-3; c and d above to Program C-9.

The subprograms noted in certain programs are for guidance purposes in enabling the military services and other Government agencies to determine more readily and uniformly under which procurement program, certain types of equipment should be included. Specific directives concerning the areas of funds, materials, and items of equipment and supplies will specify those instances in which reporting by such subprograms may be required, and any deviations from these general definitions.

Other programs which are not pertinent to over-all treatment are included in the Priorities and Allocation Manual, i. e., C-8, W-1, C-4, B-5, etc.

## PROCUREMENT PROGRAM DESCRIPTIONS

## A-1 AIRCRAFT PROGRAM

This program consists of three subprograms: (a) Airframes and Related Assemblies and Spares; (b) Aircraft Engines and Related Spares and Spare Parts; and (c) Other Aircraft Equipment and Supplies not included in subprograms (a) and (b).

## (A) AIRFRAMES AND RELATED ASSEMBLIES AND SPARES

Includes	Excludes	Program in which exclusions are included
Complete aircraft (procured as such, i. e., helicopters, excluding GFE). Airframe assemblies and spares, such as, tail assemblies, wing assemblies, landing gears, etc. Special jigs, dies, and fixtures to be used only in the fabrication of a specific airframe model (including variations thereof). Maintenance tools peculiar to the aircraft.	GFE tires and tubes. General purpose production equipment. Production facilities.	A-1c. B-9. C-2.

## (B) AIRCRAFT ENGINES AND RELATED SPARES AND SPARE PARTS

Aircraft engines and parts. Assist take-off other than droppable units. Aircraft jet engines and parts used, without major modification, on guided missiles. Special jigs, dies, and fixtures to be used only in the fabrication of a specific model of aircraft engine, including inspection gages. Maintenance tools peculiar to the engine.	Aircraft engines incorporated in aircraft procured as complete aircraft. Assist take-off (ATO), droppable units only. General purpose production equipment. Production facilities.	A-1a. A-9. B-9. C-2.
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## (C) OTHER AIRCRAFT EQUIPMENT AND SUPPLIES NOT INCLUDED IN SUBPROGRAMS (a) AND (b)

Aircraft instruments and parts (except electronic equipment for communication, fire control, and radar). Electrical equipment, such as, generators, inverters, starters, alternators, etc. Aircraft propellers and hubs. Mobile training units. Flight simulators. Ground handling equipment peculiar to a specific model of aircraft. Other accessories and parts readily identifiable for aircraft use, such as gun turrets, bomb racks and releases, rocket launchers, fuel tanks, droppable aircraft tanks, GFE tires and tubes, control wires, servo and other control mechanisms, etc.	GFE electronics and communications equipment. GFE weapons. GFE fire control, bomb sights, and related electromechanical devices. Aircraft weapons. Photographic equipment. Airborne accessories not an operational part of the aircraft, such as life rafts, oxygen masks, parachutes, fire extinguishers, etc. Organizational equipment, such as general ground or deck handling equipment, ships, hangar, and airfield equipment.	A-7. A-5. A-5 or A-7. A-5. C-9. A-9 or C-9. B-9 or C-9.
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## A-2 GUIDED MISSILES SYSTEMS PROGRAM

Guided missiles systems. All guided missile parts and related equipment procured from guided missile prime contractors except items excluded. GFE electronics equipment for guided missiles systems. Booster cases for guided missiles. Ground handling and launching equipment peculiar to a specific model of guided missile. Target drones. Special jigs, dies, and fixtures which can be used only in producing specific types of guided missiles, including inspection gages.	GFE aircraft jet engines used without major modification, on guided missiles. Fuels. GFE electronic equipment. Guided bombs (Tarzon, Razon, etc.).	A-1b. A-6 or A-8. A-7. A-7.
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A-5 WEAPONS PROGRAM

Includes	Excludes	Program in which exclusions are included
Small arms, automatic weapons, artillery, guns, rockets and grenade launchers, and pyrotechnic projectors including those mounted on vehicles, ships and aircraft. Flame throwers. Smoke generators (land) Torpedo tubes. Harbor protection nets. Depth charge projectors. Wholly optical, electrical, or mechanical fire control equipment, including binoculars, bomb sights, other optical equipment, stop watches and fire control mounts. Non-electronic portions of electronic fire control equipment if separately procured and if procurement and requirement data are separately maintained. Special jigs, dies, and fixtures which can be used only in producing specific types of weapons including inspection gages. Depotting and degaussing equipment (Range Station)	Paravanes deperming and degaussing equipment. Rocket launchers readily identifiable for aircraft use and launching equipment peculiar to a specific model of guided missile. Electronic fire control equipment such as MK26 MK53, T33, MK101, MK102 etc	A-3 A-3 A-1 or A-2 A-7

A-6 AMMUNITION PROGRAM

Includes	Excludes	Program in which exclusions are included
Ammunition, rockets, bombs, mines, grenades, torpedoes, depth charges, demolition material and pyrotechnics. Aircraft (droppable units only) and fuel for A-70 units. Rocket and guided missile fuel Machines and flasks. Ammunition parts. Chemicals used in bombs, flame throwers, smoke generators and ammunition. Special jigs, dies, and fixtures which are used in producing a specific type of ammunition including inspection gages	Guided bombs, such as Taron and Razon Commercial type petroleum products V-70 fuel Booster cases for guided missiles Non-droppable propulsion devices installed in aircraft Droppable aircraft tanks	A-7 A-8 A-7 A-7 A-1 A-1c

A-7 ELECTRONICS AND COMMUNICATIONS PROGRAM

Includes	Excludes	Program in which exclusions are included
Electromagnetic radiating and nonradiating equipment, except that radiating in the visible spectrum, including: Radio equipment including uses for telegraph, telephone, teletype facsimile, television and TFE signals. Radar equipment. Electronic and electromechanical computers. Radiation aids to aircraft control and navigation, including control of guided missiles Photographic equipment. Radiation aids to fire control, bombing, army movement, and related electromechanical types (not otherwise covered). Radiation countermeasures, including electronic deception and electronic jamming Radar. Infra Red. Meteorological. Sonar equipment. Magnetic amplifier and detection equipment. Equipment used for transmission or reception of intelligence by wire, cable, or coaxial cable, including recorders, reproducers, telegraph, telephone, teletype, facsimile, television, interphone, public address, and teleconferencing. Equipment which is used for the detection of noise and interference in the radio frequency spectrum	X-ray apparatus Non-electrical communication equipment such as pagers and flash lights Blind lights and flash lights Telephone poles Tool repair kits, pole climbing equipment, plows, earth augers, and other tools. Non-electronic meteorological equipment such as thermometers, barometers, etc. Shells, carts, winches, rope, hoists, maps Tables, chairs, air conditioners, etc. Wholly optical, electrical or mechanical fire control equipment, including binoculars, bomb sights, other optical equipment, stop watches and fire control mounts. Non-electronic portions of electronic fire control equipment if separately procured and if procurement and requirements data are separately maintained	C-9 and C-9 C-9 C-9 C-9 C-9 C-9 A-3 A-3

A-3 SHIPS PROGRAM

Includes	Excludes	Program in which exclusions are included
Construction of vessels of all types. Total cost of services, civilian labor, and ship parts used in conversion, repair, overhaul and modernization, whether done by private contractors or in Government shipyards Ship parts (except those excluded) Ship armor not procured with or as a part of weapons. Aircraft catapults and arresting gear Assault boats. Floating cranes, floating drydocks, and bridge erection boats. Production equipment procured as a part of and mounted on floating equipment. Tracked amphibious vehicles, such as LVT's Shipborne deperming and degaussing equipment. Special jigs, dies, and fixtures, which can be used only in specific shipbuilding operations including inspection gages	Guns, rocket launchers, torpedo tubes, depth charge projectors and other weapons. Fire control equipment. GFE electronic equipment, e.g., communications, fire control, radar, etc. Ship equipment and housekeeping supplies such as brooms, soap, paint, grease, light bulbs, mess and galley utensils, cleaning rags, office supplies, clothing, and other personnel items; recreation equipment and supplies, and similar types of items which are not usually produced as ship parts Pontoons (including propelling units) Fabric or rubber life rafts. GFE production equipment	A-5 A-5 A-7 Generally of C-9 D-1 A-6 B-9

A-4 TANK AUTOMOTIVE PROGRAM

This program consists of two subprograms: (a) Combat Vehicles and (b) Noncombat Vehicles

(a) COMBAT VEHICLES

Includes	Excludes	Program in which exclusions are included
Tanks. Self propelled gun motor carriages. Other combat vehicles. Combat vehicle parts. Modification whether done in private or in Government production facilities. Special jigs, dies, and fixtures which can be used only in producing a specific combat vehicle model	Weapons Fire control equipment GFE electronic equipment, e.g., communications, fire control, etc. Tracked amphibious vehicles, such as LVT's Production facilities General purpose production equipment	A-5 A-5 A-7 A-3 C-2 D-9

(b) NON-COMBAT VEHICLES

Includes	Excludes	Program in which exclusions are included
Trucks, ambulances, passenger cars, buses, motorcycles, and other motorized vehicles including wheeled amphibious vehicles (except vehicles identifiable to the construction equipment portion of the Miscellaneous Equipment Program C-9) Power-driven trucks decontaminating Bicycles. Trailers and semi trailers. Repair, maintenance, and other special purpose noncombat vehicles. Primo Contractor furnished repair, rebuild, production and service equipment procured as a part of and mounted on noncombat vehicles. Other accessories and parts readily identifiable for noncombat vehicle use such as tires, spark plugs, batteries, etc. Modification whether done in private or in Government production facilities (kits) Truck trailers. Special jigs, dies and fixtures which can be used only in producing a specific noncombat vehicle model including inspection gages	Weapons GFE electronic equipment, e.g., communications, fire control, radar, etc. Fire control equipment Warehouse, airfield, and industrial tractors GFE repair, production, and service equipment mounted on noncombat vehicles.	A-5 A-7 A-3 C-9 C-9

## A-7 ELECTRONICS AND COMMUNICATION EQUIPMENT PROGRAM—Continued

Includes	Excludes	Program in which exclusions are included
<p>Radiation and radiation equipment related to the preceding items</p> <p>Equipment which is ancillary to the preceding items such as antennas, connectors, dynamometers, headsets, microphones, radios, servomotors, fuses, test equipment, wave guides, cooling heat sink, and pressurizing equipment</p> <p>VHF radios</p> <p>Guided bombs, such as Tarzon and Razon.</p> <p>Special fuses, ties, and fixtures which can be used only in producing specific types of electronic communication equipment including inspecting gases</p> <p>Electronic line test equipment such as MK56 MK18 T33 MK101 MK102 etc</p> <p>Spectroscope</p>		

## A-8 FUELS AND LUBRICANTS PROGRAM

This program consists of three subprograms: (a) Petroleum Products; (b) Other Fuels and Lubricants; (c) Separately Procured Containers

## (A) PETROLEUM

Includes	Excludes	Program in which exclusions are included
<p>Residual fuel oils</p> <p>Lubricating oils</p> <p>Aviation gasoline</p> <p>Motor gasolines</p> <p>Kerosene</p> <p>Distillate fuels.</p> <p>Insulating transformer oils</p> <p>Fog oil.</p> <p>Greases.</p> <p>Jet fuels.</p> <p>Asphalts and road oils.</p> <p>Liquefied petroleum gas</p> <p>Solvents and naphthas.</p> <p>Containers when provided by the supplier in which petroleum products are delivered to the Government.</p> <p>Chemicals which are used directly in the production of petroleum and petroleum products as well as chemicals used in the processing of petroleum and petroleum products which will be consumed or converted into byproducts in the course of processing</p>	<p>Other fuels and lubricants.</p> <p>Separately procured containers for petroleum and petroleum products.</p> <p>Petroleum handling equipment</p>	<p>A-8b</p> <p>A-8c</p> <p>A-8a.</p>

## (B) OTHER FUELS AND LUBRICANTS

Includes	Excludes	Program in which exclusions are included
<p>Coal and coke</p> <p>Manufactured gas</p> <p>Natural gas.</p> <p>Other nonpetroleum fuel and lubricants</p> <p>Containers when provided by the suppliers in which other fuels and lubricants are delivered to the Government</p>	<p>Fuel for ATO</p>	<p>A-6</p>

## (C) SEPARATELY PROCURED CONTAINERS AND HANDLING EQUIPMENT

Includes	Excludes	Program in which exclusions are included
<p>Separately procured containers specifically intended for use with petroleum and petroleum products moved in A-8s such as inflammable liquid steel, 55-gallon and drum inflammable liquid steel, 16-gal., 55-gallon.</p> <p>Drum cleaning machines</p> <p>Portable petroleum pumps, acid tanks and petroleum dispensing nozzles.</p>	<p>Fuel cells</p>	<p>A-1</p>

## A-9 TEXTILES CLOTHING AND EQUIPAGE PROGRAM (TEXTILES)

Includes	Excludes	Program in which exclusions are included
<p>All clothing and leather products.</p> <p>All textiles and textile products, such as tenting paulins, bags, towels, bedding, canvas, cot packs, etc</p> <p>Flags and accessories</p> <p>Athletic equipment.</p> <p>Gas masks (including carrier).</p> <p>Items which are generally issued to the individual for his own use, such as toilet articles, entrenching tools, eating and drinking utensils, etc (but excluding weapons, ammunition, medical engineer, and other technical items)</p> <p>Oxygen masks, parachutes and drop kits</p> <p>Life belts and jackets</p> <p>Dust respirators.</p> <p>Rubber or fabric life rafts</p> <p>Shoo lists</p>	<p>Metal containers of more than 1 qt. capacity</p> <p>General housekeeping supplies, such as in secticides, soap, toilet paper, candles, light bulbs, paint, etc.</p> <p>General housekeeping equipment such as cooking and heating equipment, refrigeration and air conditioning equipment</p> <p>Garbage cans, furniture, etc.</p> <p>Office, depot and warehouse supplies and equipment.</p> <p>Fire extinguishers.</p> <p>Steel, 16-gal., 55-gallon</p> <p>Separately procured containers specifically intended for use with petroleum and petroleum products such as can, inflammable liquid steel, 5-gallon and drum inflammable liquid</p>	<p>C-9</p> <p>C-9</p> <p>C-9</p> <p>C-9</p> <p>C-9</p> <p>C-9</p> <p>A-8c</p>

## B-1 MILITARY BUILDING SUPPLIES

Includes	Excludes	Program in which exclusions are included
<p>Military type bridging (including pontoon bridges)</p> <p>Landings mats.</p> <p>Barbed wire and metal posts.</p> <p>Pipes and storage tanks for pipeline projects designed especially for temporary war time use.</p> <p>Prefabricated buildings designed for temporary use.</p> <p>Construction supplies to be used by military personnel including telephone poles, piling, rail way track and ties, lumber, cement, bricks, hardware, millwork, etc.</p> <p>Heating, refrigerating, plumbing, and lighting fixtures and other electrical equipment to be incorporated as an integral part of structures erected by military personnel.</p> <p>Pontoon and pontoon propelling units.</p> <p>Insulated wire and cable except communication wire</p>	<p>Construction machinery such as tractors, power shovels, etc</p> <p>Hand tools</p> <p>Portable heating, refrigerating and ventilating equipment</p> <p>Bridge erection boats</p>	<p>C-9</p> <p>C-9</p> <p>C-9a.</p> <p>A-3</p>

## B-2 SUBSISTENCE PROGRAM

Includes	Excludes	Program in which exclusions are included
<p>All food and beverage products for human use including operational type rations.</p> <p>Materials used for care and preservation of subsistence supplies.</p> <p>Drums, cans, and other containers and packaging materials required for the delivery of food and beverage products.</p> <p>Chemicals which are used directly in the production of food and food products as well as chemicals used in the processing of food and food products which will be consumed or converted into byproducts in the course of processing.</p> <p>Forage for animals</p>	<p>Water can 5-gallon</p>	<p>C-9</p>

## B-3 TRANSPORTATION EQUIPMENT PROGRAM

Includes	Excludes	Program in which exclusions are included
<p>Railway rolling stock and parts</p> <p>Railway cranes and parts</p> <p>Railway tools.</p> <p>Railway signal equipment.</p> <p>Maintenance of way equipment</p>	<p>Railway track ties and accessories</p>	<p>C-3 and C-3</p>

**(1) Public Works Construction**

Includes	Excludes	Program in which exclusions are included
Construction of military nonindustrial facilities financed under public works appropriations (MCA, FWN, and AOEP-AF)	Industrial construction Wherry housing National Guard facilities Construction equipment and machinery Nonindustrial construction financed from other than public works appropriations Land and departmental overhead services	C-2a C-2b C-2d C-9 C-2b (2)
(2) Nonindustrial Construction Other Than Public Works		
Construction of military nonindustrial facilities financed from appropriations other than public works appropriations	Wherry housing National Guard facilities Construction equipment and machinery	C-2c C-2d C-9
(3) WHERRY HOUSING		
Military housing projects constructed under Title VIII of the National Housing Act	Utilities provided with appropriations for Public Works.	C-2b (1)
(4) NATIONAL GUARD FACILITIES		
Air and Army National Guard facilities to be constructed partially or entirely from Federal funds	Facilities constructed entirely from State funds and for which the title will be vested in the State.	
C-3 DEPARTMENT OF DEFENSE MAINTENANCE REPAIR AND OPERATING SERVICES		
This program includes all maintenance, repair, and operating supply items procured by the Department of Defense which at the time of purchase cannot be identified for use in other Department of Defense element programs.		
C-9 MISCELLANEOUS PROGRAM		
This program consists of five sub programs: (a) Construction Equipment; (b) Medical and Dental Supplies and 1 Fundamentals; (c) Photographic Equipment and Supplies; (d) Material Handling Equipment; (e) All others not identifiable to any other procurement program		
(A) CONSTRUCTION EQUIPMENT		
Includes	Excludes	Program in which exclusions are included
Power shovels mobile cranes, bulldozers, concrete mixers, piling machines, road and air field construction, and maintenance machinery earth moving trailers and similar construction equipment. Pneumatic drills, welding equipment, paint sprayers, air compressors and pumps of the type used for construction. Commercial construction type tractors. Power saws. Earth augers and well drilling machines.	Dump trucks Engineering drafting and mapping instruments. Generator sets Photographic and reproduction equipment. Water storage, distribution, and purification equipment for field use. Tractors of a type not usually used for construction, such as artillery prime movers warehouses tractors, etc. Refrigeration and air conditioning equipment	A-1 C-4b C-4c or other applicable program C-4d A-4 and C-4d C-4b

(A) PRODUCTION EQUIPMENT FOR GOVERNMENT OWNED FACILITIES

Includes	Excludes	Program in which exclusions are included
Machine tools and other general purpose cutting, forming, shaping, grinding, abrading, measuring, fitting, joining, bending, or turning machines, tools, and equipment to be used in production facilities. Relubrication and modernization costs and parts (but not routine maintenance) for above production equipment. Heavy duty materials handling equipment not incorporated as an integral part of the industrial facility such as overhead traveling cranes, shipyard cranes, etc. Production equipment used for repair and maintenance if such equipment is not procured as a part of and mounted on floating equipment or vehicles.	Production equipment to be used in private owned facilities. Materials handling equipment such as conveyor systems installed in warehouses or other nonproduction facilities. Portable conveyors, fork lift trucks, industrial tractors and trailers, stackers, etc. Non-mechanical processing equipment and incorporated as an integral and permanent part of an industrial facility such as processing vats, etc. Special jigs, dies, and fixtures which can be used only in producing a specific model of a military item. Hand tools.	B-0b C-0 C-0 C-2
All Government-owned production equipment for facilities whose ownership has not been determined will be included in this subprogram		C-2
(B) PRODUCTION EQUIPMENT FOR PRIVATELY OWNED FACILITIES		
Production equipment as defined in B 0a, to be used in privately owned facilities, procured with Government funds by either the private contractor or by the Government.	Production equipment to be used in Gov't owned facilities or in facilities whose ownership is not yet determined. Other items specified in B 0a	B-0a (1)
1. Applicable program		
C-2 DEPARTMENT OF DEFENSE CONSTRUCTION PROGRAM		
This program consists of all construction, alteration, rehabilitation, or conversion of military industrial and non industrial installations, facilities, or portions thereof. It comprises all of the above facilities financed in whole or in part from appropriated funds, and War Relocation (displaced persons) funds. All machinery and equipment, except production equipment, cranes to the facility and installed as part of the construction project for the facility will be included. This program consists of four subprograms: (a) Industrial Construction, (b) Non Industrial Construction, (c) Military Housing, (d) National Guard Facilities.		
(A) INDUSTRIAL CONSTRUCTION		
Includes	Excludes	Program in which exclusions are included
Construction of new industrial facilities, and expansion, major alteration or conversion of existing industrial facilities, which are Government owned, financed and will become Government owned, including both Government-operated and contract-operated facilities. This subprogram includes these facilities utilized primarily for the manufacture of military equipment, supplies or materials, and includes building equipment such as elevators, fire protection systems, electrical power systems, or other equipment or plants to an industrial facility, and installation of materials therefor	Production equipment installed in construction projects Nonindustrial construction	B-0 C-2b

## RULES AND REGULATIONS

## C-9 MISCELLANEOUS PROGRAM—Continued

## (B) MEDICAL AND DENTAL SUPPLIES AND EQUIPMENT

Includes	Excludes	Program in which exclusions are included
Medical and dental supplies and equipment such as drugs, chemicals, biologicals, surgical dressings, instruments, hospital and dental furniture and equipment, X-ray equipment and film, etc.	Ambulances..... Bedding..... Pajamas and robes..... Towels.....	A-4. A-9. A-9. A-9.

## (C) PHOTOGRAPHIC EQUIPMENT AND SUPPLIES

Cameras. Film. Photographic projecting, developing, copying and related equipment.	X-ray cameras and film.....	C-0b.
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## (D) MATERIALS HANDLING EQUIPMENT

Conveyors. Warehouse trucks, tractors, and trailers. Fork lift trucks, stackers, etc.	Conveyors and elevators installed as an integral part of building.	C-2.
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## (E) ALL OTHERS NOT IDENTIFIABLE TO ANY OTHER PROCUREMENT PROGRAM

Housekeeping supplies such as insecticides, toilet paper, candles, soap, etc. Heating, refrigerating, plumbing and lighting fixtures, other electrical equipment, furniture and cooking equipment, except equipment incorporated as an integral part of a building or structure. Office supplies and equipment. Non-electronic meteorological equipment. Animals. Mortuary and grave registration supplies and equipment. Training and educational supplies and equipment not included in other programs. Laundry and dry cleaning equipment. Mess equipment. Water storage, distribution and purification equipment for field use. Field, combat, and troop equipment including water can (5 gal.), heaters (immersion and tent), field range, cooking outfit (one burner), field stove.		
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(r) *Item 10; value of procurement action.* (1) Enter the total value (in whole dollars omitting cents) of the procurement action being reported on the form. If the action is a modification (amendment, change order, or supplemental agreement) enter for this item only the value of the specific action being reported. If an increase, indicate by the symbol DD (for debit) if a decrease, indicate by the symbol CR (for credit). Contracts terminated for any reason will be reported as decreases. The new contract or purchase against a defaulting contractor will then be reported in the usual manner.

(2) Check Items 31 and 32, the difference in dollars between Items 31 and 32 should be the value of procurement action, Item 10.

(s) *Item 11, date of procurement action.* Enter the day, month, and year the procurement action (as defined in § 590.807 (a)) was taken. This should be the date upon which a binding agreement was reached.

(t) *Item 12; estimated completion date.* Enter month and year provided in the contract for the completion of the contract or, if such date is not included in the contract, an estimated date on which performance under the contract is expected to be completed.

(u) *Item 13, contract subject to Walsh-Healey Act.* Place an "X" mark in appropriate box to show whether contract is subject to Walsh-Healey Public Contracts Act in accordance with Subpart F Part 411 of this title. If contract

is subject to Walsh-Healey Public Contracts Act, place an "X" in appropriate box to show whether contractor is manufacturer or regular dealer in accordance with § 400.201-9 of this title and § 590.201-9. Generally, the Walsh-Healey Public Contracts Act is not applicable to procurement effected outside the United States, its territories and possessions (see § 411.602 of this title).

(v) *Item 14, appropriation identification.* Enter the appropriation identification limited to the following serial numbers and in the exact order specified below. Enter opposite each appropriation identification the corresponding dollar obligation. Where more than five different appropriation symbols are involved, enter only the five against which the largest obligations are being made. However, all MSAP obligations will be listed regardless of the number of obligations. When there is insufficient space to enter the appropriation identification in Item 14, the space provided in Item 24, "remarks," may be used.

(1) Appropriation number.

(2) Project number.

(3) Object class.

(4) Operating agency.

Do not include any other numbers such as special limitations, allotment serial numbers, special codes, etc., unless specifically directed by the Head of the Procuring Activity concerned.

Check dollars appropriated against value of actions, the total amount may be less in those instances when there are more than five appropriations. In case

of Navy or Air Force procurement or procurement for MDAF show only appropriation number.

(w) *Item 15, contract placement.* Place an "X" mark in appropriate box to show whether action is:

(1) *Interservice.* The term "Interservice" refers to procurements within the Department of Defense only. It covers:

(i) Orders placed by one military department against contracts entered into by another military department.

(ii) Orders placed by activities of one military Department against contract entered into by other activities of the same military department.

(iii) Orders placed against contracts entered into by joint procuring agencies, viz: ASPPA, ASMPA.

(2) *Interdepartmental.* The term "interdepartmental" refers to procurements from or through Federal departments, agencies, institutions, and corporations other than those of the Department of Defense. It covers:

(i) Orders placed by a military department or agencies thereof, against contracts entered into by any Federal department, agency, institution, or corporation outside the Department of Defense; (ii) contracts placed by a military department, or agency thereof, with any Federal department, agency, institution, or corporation outside the Department of Defense. If subparagraph (1) or (2) of this paragraph has been checked in Item 15, do not fill out remainder of form except for date of report and signature, Item 39.

(3) *Advertised.* Secured on bids as a result of formal advertising. (See § 401.101 of this title.)

(4) *Negotiated.* Negotiated in accordance with the exceptions authorized by Public Law 413, 80th Congress and described in §§ 402.201 to 402.217 of this title and §§ 592.201 to 592.217 of this subchapter.

(5) *Modification authorized by existing contract, which was advertised.*

(6) *Modification authorized by existing contract, which was negotiated.* (1) unless the modifying action being reported is authorized by the provisions of the basic contract and has been transacted pursuant to such provisions (viz, change order authorized by changes clause) do not check either subparagraph (5) of this paragraph or this subparagraph.

(ii) If block (1) or (2) has been checked, Items 16 through 22 should not be filled out, if block (4) has been checked, Item 16 should show a check mark in (1)

(x) *Item 16; negotiated under exception P L. 413.* All negotiated procurement for the duration of the present emergency will be accomplished under § 402.201 of this title and contracts will cite as authority section 2 (c) (1) Armed Services Procurement Act of 1947 and Presidential Proclamation 2914.

(y) *Item 17, was contract placed for performance in a labor surplus area?* The surplus labor areas referred to are those certified by Office of Defense Mobilization for preferential treatment in accordance with Office of Defense Manpower Policy No. 4. If Item 17 (a) (1) is checked, the first entry in item 6 must

be a surplus labor area. If Item 17 (a) (1) is checked, specify the notification number of the area. If Item 17 (b) (1) is checked, one of the following entries will be made including both the numerical designation and the type of preferential treatment:

- (1) Meeting the price.
- (2) Set-aside.
- (3) Price differential.

If more than one location has been entered in Item 6, "Place of performance," an entry will be shown in Item 24, "Remarks," to show the actual dollar value to be performed in the labor surplus area. This should be carefully checked. See Item 6. It should be noted that in cases where "preferential treatment" was given, the numerical designation should be assigned for punching into IBM cards. It is most important that this item be correct in its entirety.

(z) *Item 18; small business*—(1) *Sub-item (a)* Check (1) or (2) in accordance with the opinion of the contracting officer.

(2) *Sub-item (b)* If the contractor represents that the aggregate number of employees of the contractor and its subsidiaries and affiliates is more than 500 check (1) if less than 500 check (2).

(3) *Sub-item (c)* Check (1) if preferential treatment was given. Check (2) if preferential treatment was not given.

(4) *Sub-item (d)* If (c) (1) has been checked, one of the following entries will be made including both the numerical designation and the type of preferential treatment:

- (i) Joint determination.
- (ii) Set-aside.
- (iii) Price differential.

If entry is block (a) (2) not suitable for small business, the next entry must be in block (b) (1). A contract may be suitable to small business and actually awarded to large business but cannot be not suitable to small business and awarded to small business.

(aa) *Item 19; type of contract*. Place an X mark in appropriate box to show whether contract is:

(1) Fixed price, including price escalation clause in accordance with § 596.151 of this subchapter. Indicate the particular clause by appropriate suffix, e. g., Labor and Materials, Standard Steel (Formal Advertising, Aluminum, or Open End and Indefinite Quantity) Where contract includes both a price redetermination clause and a price escalation clause, a referenced remark will be made under Item 24.

(2) Fixed price, including price redetermination clause in accordance with § 596.152-1 or § 596.152-3 of this subchapter. Indicate applicable form number and, in the case of price redetermination clause where upward revision is included, indicate the percentage of upward revision. Example: IIB-10%.

(3) Fixed price, with downward revision only in accordance with § 596.152-2 of this subchapter.

- (4) Fixed price.
- (5) Incentive Fixed Price (ceiling \_)
- (6) Incentive Cost-plus-a-fixed-fee.
- (7) Cost.
- (8) Cost-plus-a-fixed-fee.
- (9) Time and material.

If block (2) is checked, see that applicable form number and percentage of upward revision is indicated. Example: IIB-10%.

Items 29, 33, 34, 35, and 36 must be filled out for all definitive contracts over \$300,000 which are checked (2) in Item 19, Type of contract; however, when this type of contract has been redetermined and the action is an amendment or modification an entry must be made in remarks (Item 24) to show:

- (i) Commodity, quantity, and unit price reported on original DD 350; and
- (ii) The redetermined quantity and unit price.

(bb) *Item 20; contract purpose*. Place an "X" mark in the appropriate box to show purpose of contract in accordance with listing. Descriptions of the general purposes of different types of contracts are given below, but such examples are not to be construed as being restrictive to the matter set forth, as they include other purposes than those related to the general classification outlined below. It is left to the discretion of the contracting officer to determine and check the most applicable purpose if two or more purposes are involved.

(1) *Supply*. Applies when procurement is for supplies and is accomplished with appropriated funds.

(2) *Architectural-engineering*. Applies to contracts for the performance of architectural and engineering services.

(3) *Construction (real property)*. Applies to the construction, alteration, or repair of buildings, bridges, roads, or other real property.

(4) *Lease*. Applies to the lease of personal property which involves the expenditure of appropriated funds.

(5) *Maintenance, buildings, and grounds*. Applies to supplies and non-personal services involving maintenance of buildings and grounds.

(6) *Maintenance, equipment*. Applies to maintenance of equipment, munitions, and supplies excluding construction. Also applies to ship repair.

(7) *Industrial mobilization*. For application, see § 402.216 of this title and § 592.216 of this subchapter.

(8) *Research and development*. For application, see §§ 402.211 and 402.205 of this title and §§ 592.211 and 592.205 of this subchapter.

(9) *Personal services*. For application see § 402.204 of this title and § 592.204 of this subchapter.

(10) *Nonpersonal services*. Applies to laundry, dry cleaning, etc.

(11) *Transportation*. Applies to tug services, stevedoring, freight handling, drayage, ocean transportation, motor van services, repair of railroad equipment, towage, lighterage, truck services, salvage services, and lumber handling. Does not apply to Government bills of lading, transportation services procured by transportation request, various forms of transportation agreements which do not involve receipt of or expenditure of funds such as switching agreements, rate and traffic agreements, track and interchange agreements, participation in railroad codes and rules, and acceptance of quotations under section 22 of the Interstate Commerce Act.

(12) *Utilities*. Applies to electric power, water, gas, etc.

(13) *Facilities (industrial)*. Applies to facilities type contract.

(14) *Other (specify)* (i) Any procurement with appropriated funds which does not fall in any of the above categories will be listed under this purpose and specified.

(ii) Check with a commodity description to ascertain that correct entry has been made. A procurement action which in Item 9b shows "construction" should show "construction" in Item 20, and for the same reason, R&D should be shown as R&D.

(cc) *Item 21; procurement under Buy American Act*. (1) Place an "X" mark in appropriate box to show if procurement was or was not made under an exception to the Buy American Act in accordance with Subpart A, Part 405 of this title.

(2) If "place of performance," Item 6, is an overseas address, an entry must be made in this item.

(dd) *Item 22; contractor estimates that*. Approximate percentage will be subcontracted. Subcontract means: any contract, purchase order, or any other document entered into by the prime contractor for the acquisition of supplies, materials, or services used directly in the performance of the prime contract. (To be filled in only on contracts of \$25,000 and over.)

(ee) *Item 23; security classification of procurement action*. Place an "X" mark in appropriate box to show the security classification of the contract described. The security classification indicated herein will correspond to the highest classification appearing on the Security Requirement Check List (DD Form 254).

(ff) *Item 24; remarks*. (1) When procurement action is effected under Mutual Security Assistance Program, the following information will be entered under this item (i) MSAP procurements; (ii) the dollar value of the MSAP procurement when the total value of the contract being reported (Item 10) includes procurement for requirements other than MSAP.

(2) Letter contracts for obligation or payment of funds will be identified in item 24 by a remark showing the approving authority (by title) the estimated contract cost, and the expiration date of the letter contract (day, month, year) Upon formalization of a contract which was initiated by a letter contract, reference to the original DD Form 350 reporting the letter contract will be made in item 24 of the subsequent DD Form 350, as follows: "LTR C \$\_\_\_\_\_ previously reported on Report No. \_\_\_\_\_ dated \_\_\_\_\_"

(3) Information regarding the approving authority should be reported in item 24 for the following negotiated contracts:

(i) Construction and rehabilitation at installations: When contract exceeds \$100,000 enter remark as follows: "Negotiated Award (CRI) approved by \_\_\_\_" title.

(ii) Architect-engineer contracts: When such contract is otherwise required

to be reported on DD Form 350 enter remark as follows: "Negotiated Award (AE) approved \_\_\_\_\_" title.

(iii) Research and development contracts: When contract exceeds \$25,000 enter remark as follows: "Negotiated Award (R&D) approved by \_\_\_\_\_" title.

(iv) Negotiated contracts in general: When contracts exceed \$100,000 enter remark as follows: "Negotiated Award (Gen) approved by \_\_\_\_\_" title.

(4) Modifications due to price redetermination of fixed price supply contracts over \$300,000 will reference the following information in item 24: (i) Commodity quantity, and unit price reported on original DD Form 350. (ii) redetermined quantity and unit price.

(5) Item 24 will be utilized in all reports of modifications to amplify the basis of, or the reason for the modification. This information should be specific in each instance. For example, changes due to price redetermination, voluntary price reductions, or to specification changes.

(6) If action is "call type" or "open-end" contract, note this fact in remarks (Item 24)

(7) Enter any other comments to supplement or amplify the information shown in the body of the report which are considered essential to a proper understanding of the report. This space may also be used for additional data when required by Heads of Procuring Activities or major oversea commanders.

(gg) *Item 25, delivery schedule.* Enter date schedule of first delivery and partial deliveries thereafter through contract completion for all procurement involving MSA funds.

(hh) *Item 26, pricing.* Includes transportation—self explanatory.

(ii) *Item 27 contractor represents that.* Place an "X" mark in appropriate box to show whether contractor represents that he has employed or retained a company or person (other than a full-time employee) to solicit or secure this contract.

(jj) *Item 28; omit unless head of procuring activity requires item to be reported.*

(kk) *Item 29 enter percent of profit or fee charged by the prime contractor. Applies to negotiated contracts only.*

(ll) *Item 30; planning status—(1) Planned producer—planned item.* To be used when contractor is supplying a planned item for which he is the planned producer.

(3) *Planned producer—not planned item.* To be used when item is not a planned item being made by a planned producer.

(5) *Not planned producer—planned item.* To be used when contractor is supplying a planned item for which he is not the planned producer.

(7) *Not planned producer—not planned item.* To be used when item is not a planned item and producer is not a planned producer.

(mm) *Item 31, Total prior to this action.* Insert total amounts previously obligated on this contract. Applicable only in case of modifications to the contract.

(nn) *Item 32; total including this action.* (1) Insert total told amount of

all funds obligated on the contract including the amount now being reported.

(2) Items 33 through 36 are to be filled in only for those fixed price supply contracts over \$300,000 which contain a price redetermination clause, and all reportable modifications thereto. Insert percent of the total amount of the contract that will be used for:

(1) *Item 33.* Purchase of materials.

(2) *Item 34.* Payment of direct labor.

(3) *Item 35.* Payment of overhead.

(4) *Item 36.* Payment of General and Administrative Expense.

(oo) *Item 37.* Reserved.

(pp) *Item 38.* Reserved for future use.

(qq) *Item 39 date of report.* (1) Enter the day, month, and year on which the report is prepared.

(2) The form will be signed by the Contracting Officer or his authorized representative and name of signing individual typed in spaces provided therefor.

(rr) *Security classification of DD Form 350.* DD Form 350 will be stamped in the upper and lower margins with the appropriate security classification. The security classification so stamped need not necessarily correspond to the security classification of the contract (Item 23) but is rather a matter for the discretion of the preparing officer and is dependent upon the information appearing on the form.

§ 590.809 *Instructions for preparation of Monthly Summary of Procurement Actions (DA Form 377) (Reports Control Symbol CSGLD-534)* (a) This summary will include every new procurement action, as defined in § 590.807, transacted during the month, covered by this report, irrespective of the dollar value of any such action. It will include every modification (amendment, change order, or supplemental agreement) to contracts negotiated under paragraph 2c (11) and 2c (16) of Public Law 413, 80th Congress, irrespective of the dollar value of any such contract or modification thereto. This summary will also include every modification involving an increase or decrease of \$10,000 or more. Modifications not pertaining to paragraph 2c (11) or 2c (16) of Public Law 413 which involve an increase or decrease of less than \$10,000 will be completely excluded from this summary.

(b) For the purpose of this summary only those reportable modifications made pursuant to the provisions of the basic contract will be reported in the columns headed "number of modifications." New actions and reportable modifications not made pursuant to the provisions of the basic contract will be reported in the columns headed "number of new actions."

(c) The dollar value entries in this summary will reflect the net total of all debit and credit procurement actions reportable under paragraph (a) of this section. If during the month the credit actions exceed the debit actions for any item, a credit entry will be shown. Such entry will be preceded by the symbol CR (for credit). Dollar value entries will not include cents. (Example: \$500 not \$500.25 nor \$500.00.)

(d) Monthly summaries will be consolidated at the following levels and in the following manner prior to submission to the Assistant Chief of Staff, G-4, Department of the Army. (See § 590.805.)

(1) At Class I installations all reportable actions will be consolidated each month on one DA Form 377 regardless of the source of the funds involved in any of the actions. The appropriate army area having responsibility for the Class I installation will be indicated in the space for "Technical Service or Command." The original of each DD Form 350 of those actions shown in line 8, columns d and g, will be attached to the DA Form 377.

(2) At Class II installations those reportable actions which have been transacted for the purpose of Class I activities will be consolidated on one DA Form 377, and the appropriate army area having responsibility for the Class I activities will be indicated in the space for "Technical Service or Command." All other reportable actions at Class II installations will be consolidated on one DA Form 377, and the technical service having responsibility for the Class II installation will be indicated in the space for "Technical Service or Command." The governing factor in the aforementioned breakdown will be whether the action was executed for the purpose of Class I activities or for the purpose of Class II activities. Where the contractual instrument has been assigned a number pursuant to § 590.603 the letter symbol of this number may be used as a guide. As an exception to the above, general depots will submit one DA Form 377 for each Procuring Activity located at the depot.

(i) *Date of report.* Enter the day, month, and year on which the report is prepared.

(ii) *From.* Enter the title and address of the procuring activity in sufficient detail to readily establish the identity of the office, installation, activity, or individual preparing the report.

(iii) *Station number.* Enter the fiscal code station number. Where a Class II installation has been assigned a separate station number to identify its Class I activities (§ 590.603-5 (b)) this latter station number will be entered on the army area report from this installation (subparagraphs (1) and (2) of this paragraph.)

(iv) *Month ending.* Enter the month covered by the report. Where information for DA Form 377 is obtained from Individual Procurement Action Report, Reports Control Symbol CSGLD-525 (DD Form 350) the date of the report (Item 39, DD Form 350) will be the controlling factor in determining which monthly summary (DA Form 377) will include the action reported. For example, a procurement action executed 28 November but having a "date of report" of December 2 will be reported in the monthly summary of December actions, the only exception being the close of the fiscal year, when all actions taken in the month of June will be reported on the monthly summary regardless of the "date of report."



(v) *Technical service or command.* (a) Enter the name of the technical service, army area, or command having responsibility for the Procuring Activity such as Quartermaster Corps, Third Army, Far East, National Guard Bureau, etc. At Class I and Class II installations the instructions set forth in subparagraphs (1) and (2) of this paragraph will govern.

(b) The column headed "Modifications" will be those actions which were made pursuant to the provisions of the basic contract, and is for information purposes only. Such actions will not be included in columns a or d. The total of column a will equal columns c and d.

(vi) *Line 1, small business total.* Enter the total number of actions and dollar amount of procurement (except interdepartmental, interservice, and outside continental United States) from concerns which are classified as Small Business. Entries on this line will equal the totals of entries on lines 1a and 1b. For the purposes of this report, a small business is defined as one in which the aggregate number of employees of the contracting organization and its affiliates is less than 500.

(vii) *Line 1a; small business; advertised.* Enter the number of actions and dollar amount of procurement by advertising from concerns classified as small business.

(viii) *Line 1b; small business; negotiated.* Enter the number of actions and dollar amount of procurement by negotiation in accordance with the provisions of the Armed Services Procurement Regulation, from concerns classified as small business.

(ix) *Line 2; other than small business; total.* Enter the total number of actions and dollar amount of procurement (except interdepartmental, interservice, and outside continental United States) from all concerns which were other than small business. Entries on this line will equal the totals of entries on lines 2a and 2b.

(x) *Line 2a; other than small business; advertised.* Enter the number of actions and dollar amount of procurement by advertising from concerns classified as other than small business.

(xi) *Line 2b; other than small business; negotiated.* Enter the number of actions and dollar amount of procurement by negotiation in accordance with the provisions of the Armed Services Procurement Regulation from concerns classified as other than small business.

(xii) *Line 3; total advertised.* Enter the total number of actions and dollar amount of advertised procurement. Entries on this line will equal the totals of entries on lines 1a and 2a.

(xiii) *Line 4; total negotiated.* Enter the total number of actions and dollar amount of negotiated procurement. Entries on this line will equal the totals of entries on lines 1b and 2b.

(xiv) *Line 5, interdepartmental procurement.* Include procurement of supplies or services from other Federal agencies (outside Department of Defense) or under a contract made by any

such department or agency; e. g., purchases made under Bureau of Federal Supply Schedules and purchases made under Schedule of Products issued by Federal Prison Industries, Inc.

(xv) *Line 6; interservice procurement.* Enter the number of actions and dollar amount covering individual purchase instruments executed against term contracts, open-end contracts, indefinite quantity contracts, or agreements for obtaining supplies or service, which contracts or agreements were originally let by department or agency of Department of Defense other than the Army, and which do not specify quantities or total dollar value; e. g., purchases against open-end contracts of the Armed Services Petroleum Purchasing Agency.

(xvi) *Line 7, work performed outside continental United States.* Enter the total amount of actions and dollar amount of purchase actions where the place of performance is outside continental United States. Place of performance applies to place of manufacture or final assembly by the prime contractor, place of real property construction, and place of service performed.

(xvii) *Line 8; total.* Enter on this line the total number of actions and dollar amount of all types of procurement to be covered by this report. For the report covering offices located within continental United States, entries on this line will equal the totals of entries on lines 3, 4, 5, 6, and 7.

(a) *Column a; total.* Enter total number of actions reported in columns c and d.

(b) *Column b; modifications.* Enter number of modifications over \$10,000. Such actions will not be included in columns a or d.

(c) *Column c; not reported on DD Form 350.* Enter number of actions under \$10,000.

(d) *Column d; reported on DD Form 350.* Enter number of actions over \$10,000. Totals of columns c and d will equal the total of column a.

(e) *Column e; total.* Enter the total dollar amount reported in columns f and g.

(f) *Column f; not reported on DD Form 350.* Enter dollar amount of actions under \$10,000.

(g) *Column g; reported on DD Form 350.* Enter dollar amount of actions over \$10,000. Dollar amount of modifications reported in column b will be included. Totals of columns f and g will equal the total of column e.

(xviii) *Line 9; special category data which have been included in Line 4.* Enter the total number of actions and total dollar value only of those actions negotiated for the following reasons:

(a) *Line 9a; perishable subsistence.* (See § 592.209 of this subchapter.)

(b) *Line 9b; small purchases.* (See § 590.700.)

(c) *Line 9c; petty cash purchases under imprest fund procedure.* (See SR 35-350-10, special regulations pertaining to imprest funds for small purchases.)

(d) *Line 9d; delivery orders against "Open-End" contracts.* (See § 590.515 of this subchapter.)

(xix) *Line 10; special small business information which is included in Lines 1 and 2.*

(xx) *Line 10a; suitable to small business.* This entry will include the following:

(a) All actions and dollar values not reported on DD Form 350 (lines 1 and 2—column c for number of actions; column f for dollar value) and

(b) All actions reported on DD Form 350 and actually awarded to small business (line 1—column d for number of actions; column g for dollar value) and

(c) The number of the reported actions awarded to large businesses which was, in fact (in the opinion of the contracting officer) suitable to performance by small business firms. (Extract from line 2, column d, the number, and extract from line 2, column g, the dollar value of the individual DD Form 350 which are determined to be suitable for small business).

(d) Add (a) (b) and (c) of this subdivision and enter in line 10a.

(xxi) *Line 10a (1), suitable to small business; advertised.* Enter the number of actions and dollar amount of procurement considered suitable for small business which was advertised.

(xxii) *Line 10a (2), suitable to small business; negotiated.* Enter the number of actions and dollar amount of procurement considered suitable for small business which was negotiated.

(xxiii) *Remarks.* Enter the DD Form 350 report numbers of the actions which are included in line 8, columns d and g. Enter any other comments to supplement the information shown in the body of the report which are considered essential to a proper understanding of the report.

(xxiv) *Signature.* The report will be signed by a contracting officer or his authorized representative and the appropriate name and title typed in the space provided. Where a consolidated monthly summary is being prepared pursuant to subparagraphs (1) and (2) of this paragraph, the consolidated report will be prepared and signed by an officer so designated by the commanding officer of the installation concerned.

§ 590.810 *Retention of Procurement Action Reports.* Individual Procurement Action Report (DD Form 350) and Monthly Summary of Procurement Actions (DA Form 377) or comparable forms submitted by contracting officers to higher headquarters indicating the status of procurement actions may be destroyed after 6 months. Such material is considered nonrecord material.

§ 590.811 *Reports in connection with actions taken under the authority of Title II, First War Powers Act, 1941, as amended.* Reports referred to in headnote will be submitted as required in § 590.918. Such reports are additional to reporting requirements otherwise set forth in this subpart.

[SEAL] Wm. E. BERGIN,  
Major General, U. S. Army,  
The Adjutant General.

[F. R. Doc. 53-7463; Filed, Aug. 27, 1953; 8:45 a. m.]

## RULES AND REGULATIONS

## TITLE 42—PUBLIC HEALTH

Chapter I—Public Health Service,  
Department of Health, Education,  
and WelfarePART 35—HOSPITAL AND STATION  
MANAGEMENTSUBPART D—DISPOSAL OF MONEY AND  
EFFECTS OF DECEASED PATIENTSDELIVERY OF MONEY AND EFFECTS UPON  
APPLICATION

Notice of proposed rule making, public rule making proceedings and postponement of effective date have been found to be unnecessary in the issuance of the following amendment to this subpart which relates to the procedures to be followed by officers of the Public Health Service in the disposition of the money and effects of deceased patients.

Section 35.44 is amended to read as follows:

§ 35.44 *Delivery to legal representative; to other claimants if value is \$1,000 or less.* The money and effects of the deceased patient shall in all cases be delivered to the legal representative, if any, of his estate. If the value is \$1,000 or less, and the officer in charge has neither notice nor other knowledge of the appointment or qualification of a legal representative, nor reason to believe that a legal representative will be appointed or qualified, he shall deliver all the money and effects, as soon as practicable after the expiration of 10 days from the sending of notices to one of the following in the indicated order of priority:

(a) A person, if any, designated in writing by the patient to receive the same;

(b) The patient's surviving spouse;

(c) The patient's child or children in equal parts;

(d) The patient's parent or parents in equal parts;

(e) Any other person who would be entitled to receive the money and effects under the law of the patient's domicile: *Provided*, That delivery of such money and effects may be made immediately upon application by one of the persons specified above if the officer in charge has neither notice nor other knowledge that a person higher in the indicated order of priority exists.

(Sec. 215, 58 Stat. 690; 42 U. S. C. 216. Interprets or applies sec. 321, 58 Stat. 695, as amended; 42 U. S. C. 248)

This amendment shall become effective on publication in the FEDERAL REGISTER.

Dated: August 13, 1953.

[SEAL] LEONARD A. SCHEELE,  
Surgeon General.

Approved: August 24, 1953.

NELSON A. ROCKEFELLER,  
Acting Secretary.

[F. R. Doc. 53-7554; Filed, Aug. 27, 1953;  
8:52 a. m.]

TITLE 43—PUBLIC LANDS:  
INTERIORChapter I—Bureau of Land Manage-  
ment, Department of the Interior

[Circular No. 1857]

## PART 194—POTASSIUM PERMITS AND LEASES

## OVERRIDING ROYALTIES; CORRECTION

AUGUST 24, 1953.

The document containing 43 CFR 194.27a, published in the FEDERAL REGISTER of August 20, 1953 (18 F. R. 4952), should be headed Circular No. 1857, as set forth above.

WILLIAM ZIMMERMAN, JR.,  
Associate Director

[F. R. Doc. 53-7530; Filed, Aug. 27, 1953;  
8:46 a. m.]

TITLE 47—TELECOMMUNI-  
CATIONChapter I—Federal Communications  
Commission

## PART 1—PRACTICE AND PROCEDURE

## APPEAL AND REVIEW OF INITIAL DECISION

In the matter of amendment of § 1.853 of the Commission's rules and regulations relating to practice and procedure.

1. The Commission has before it for consideration § 1.853 of its rules and regulations relating to practice and procedure.

2. The Commission is of the view that when an initial decision has been issued proposing the denial of an application, the applicant in order to sustain its burden of prosecuting the application, should file exceptions to the initial decision. Failure to file timely exceptions, we believe, raises the presumption that the applicant no longer desires to prosecute further its application. Accordingly, the Commission is amending § 1.853 of the rules to provide that in such circumstances the Commission may, if it so desires, dismiss the application with prejudice for failure to prosecute. This amendment will eliminate unnecessary effort by the Commission in considering applications which applicants are no longer interested in prosecuting.

3. The amendment adopted herein is procedural in nature, and, therefore, compliance with the proposed rule making procedure prescribed by section 4 of the Administrative Procedure Act is not required; and, for the same reason, the amendment may be made effective immediately. Authority for the adoption of the amendment is contained in sections 4 (i) and 303 (r) of the Communications Act of 1934, as amended.

4. In view of the foregoing, *It is ordered*, That effective thirty days after publication in the FEDERAL REGISTER, § 1.853 of the Commission's rules and regulations is amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U. S. C. 303)

Adopted: August 20, 1953.

Released: August 21, 1953.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] WM. P. MASSING,  
Acting Secretary.

Section 1.853 of the Commission's rules and regulations is amended by adding a new paragraph as follows:

§ 1.853 *Appeal and review of initial decision.* \* \* \*

(f) When any party fails to file exceptions within the specified time to an initial decision which proposes to deny its application, such party shall be deemed to have no interest in further prosecution of its application, and its application may be dismissed with prejudice for failure to prosecute.

[F. R. Doc. 53-7544; Filed, Aug. 27, 1953;  
8:50 a. m.]

[Docket No. 10563]

## PART 3—RADIO BROADCAST SERVICES

TABLE OF ASSIGNMENTS FOR TELEVISION  
BROADCAST STATIONS

In the matter of amendment of § 3.606, *Table of assignments*, rules governing television broadcast stations; Docket No. 10563.

1. The Commission has under consideration its notice of proposed rule making issued on June 29, 1953 (FCC 53-778), and published in the FEDERAL REGISTER on July 7, 1953 (18 F. R. 3944), proposing to assign one of the following channels to Harlan, Kentucky: 22, 73, 75, 76, 70, 81, 82, 83.

2. The time for filing comments in this proceeding expired July 20, 1953. No comments were filed opposing the assignment of any of the above channels to Harlan, Kentucky. The Commission finds that the assignment of Channel 73 to Harlan, Kentucky, would comply with the Commission's rules and that a finalization of the proposal would serve the public interest.

3. Authority for the adoption of the amendment is contained in sections 4 (i) 301, 303 (e) (d), (f) and (r) and 307 (b) of the Communications Act of 1934, as amended.

4. In view of the foregoing, *It is ordered*, That effective 30 days from publication in the FEDERAL REGISTER, the table of assignments contained in § 3.606 of the Commission's rules and regulations is amended by the assignment of Channel 73 to Harlan, Kentucky, in lieu of Channel 36—

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies sec. 301, 303, 307, 48 Stat. 1081, 1082, as amended, 1084; 47 U. S. C. 301, 303, 307)

Adopted: August 19, 1953.

Released: August 21, 1953.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] WM. P. MASSING,  
Acting Secretary.

[F. R. Doc. 53-7542; Filed, Aug. 27, 1953;  
8:49 a. m.]

[Docket No. 10568]

## PART 3—RADIO BROADCAST SERVICES

## TABLE OF ASSIGNMENTS FOR TELEVISION BROADCAST STATIONS

In the matter of amendment of § 3.606, *Table of assignments*, rules governing television broadcast stations; Docket No. 10568.

1. The Commission has under consideration its notice of proposed rule making (FCC 53-783) issued June 29, 1953, which noted that Wilton E. Hall had petitioned the Commission to amend § 3.606 *Table of assignments*, rules governing television broadcast stations, by adding the assignment of UHF Channel 40 to Anderson, South Carolina, and by substituting UHF Channel 22 for Channel 40 in Elizabethton, Tennessee. The above notice requested that comments of interested persons be submitted. On July 20, 1953, Anderson Television Company filed a "Response" to the petition opposing the assignment of Channel 40 to Anderson; and on July 24, 1953, Wilton E. Hall filed a reply to the aforesaid opposition.

2. Two conflicting applications have been filed for the one channel presently assigned to Anderson. One of the applicants, Wilton E. Hall, has filed a peti-

tion in this proceeding seeking the assignment of an additional channel to obviate the necessity for a comparative hearing and to afford an additional television service to Anderson. The other applicant for a television station in Anderson, Anderson Television Company, opposes the additional assignment, contending that Anderson cannot support two television stations, and that the additional assignment is being sought merely so that Wilton E. Hall can obtain a grant without a comparative hearing. Anderson Television Company represents that, if the additional assignment is made to Anderson, it proposes to withdraw its pending application and will not seek to establish a television station in that community.<sup>1</sup>

3. In our view, and additional assignment to Anderson at this time would serve the public interest. The assignment of 2 channels to Anderson is in accord with the number of assignments made in the Table of Assignments to other cities of comparable size and affords the City of Anderson its equitable share of the available assignments. We are, accordingly, assigning Channel 40 to Anderson. It should be emphasized that the additional assignment we are now making to Anderson is not for the

purpose of any particular applicant; it is an assignment to the community and may be applied for by any interested party.

4. Authority for the adoption of the amendment herein is contained in sections 4 (l) 301, 303 (c) (d) (f) and (r) and 307 (b) of the Communications Act of 1934, as amended.

5. In view of the foregoing, *It is ordered*, thirty days after publication in the FEDERAL REGISTER, That § 3.606, *Table of assignments*, rules governing television broadcast stations, is amended as follows:

City	Channel Number
Anderson, S. C.	40, 53—
Elizabethton, Tenn.	22+

(Sec. 4, 48 Stat. 1068, as amended; 47 U. S. C. 154. Interprets or applies secs. 301, 303, 307, 48 Stat. 1031, 1032, as amended, 1034; 47 U. S. C. 301, 303, 307)

Adopted: August 20, 1953.

Released: August 21, 1953.

FEDERAL COMMUNICATIONS  
COMMUNICATION,  
[SEAL] Wm. P. MASSING,  
Acting Secretary.

[F. R. Doc. 53-7543; Filed, Aug. 27, 1953; 8:49 a. m.]

## PROPOSED RULE MAKING

## FEDERAL COMMUNICATIONS COMMISSION

## [ 47 CFR Part 3 ]

[Docket No. 10588]

## TELEVISION BROADCAST STATIONS

## TABLE OF ASSIGNMENTS

In the matter of amendment of § 3.606 *Table of assignments*, rules governing television broadcast stations; Docket No. 10588.

1. On July 10, 1953, the Commission issued a notice of proposed rule making (FCC 53-859) which was published in the FEDERAL REGISTER on July 17, 1953, (18 F. R. 4200) relating to two mutually exclusive petitions to amend the table of assignments, § 3.606, rules governing television broadcasting stations. The petition of Daily Telegraph Printing Company requested the assignment of VHF Channel 6 to Bluefield, West Virginia, by making other changes in the Table and in other rules; and the petition of High Point Enterprises, Inc., requested the assignment of VHF Channel 6 to High Point, North Carolina, by making other changes in the Table and in other rules.

2. The Commission now has before it for consideration a third conflicting petition for rule making filed on July 21, 1953, by Robert R. Thomas, Jr., Oak Hill, West Virginia, requesting an amendment of § 3.606 *Table of assignments*, rules governing television broadcast stations as follows:

No. 169—3

City	Channel No.	
	Present	Proposed
Fayetteville, W. Va.	None	4

The following changes with respect to the offset carrier requirements only would be required as a result of the assignment of Channel 4 to Fayetteville:

City	Channel No.	
	Present	Proposed
Chapel Hill, N. C.	*4	*4+

<sup>1</sup> Several allegations are made by Anderson Television Company concerning Wilton E. Hall. It is charged that, if the assignment of Channel 40 is made to Anderson, "a monopoly in the dissemination of news which is now being abused by Mr. Hall and his enterprises will be increased and extended into the field of television." Such allegations are not relevant to the instant rule-making proceeding, a proceeding to determine whether Channel 10 should be assigned to Anderson rather than to a particular applicant. These allegations go to the qualifications of a potential applicant to operate a television station in Anderson. While they might be pertinent for consideration in a licensing proceeding, they are not relevant to this proceeding which merely assigns the frequency to the community where it would be available upon application to all interested parties.

3. In support of the proposal, petitioner states that Fayetteville has not been assigned a television channel; that Fayetteville with a population of 1,952 is the county seat of Fayette County which has a population of 82,443; that the proposed assignment would meet all the requirements of the rules without any other changes in the table of assignments; and that the amendment requested would represent a fair, efficient, and equitable distribution of frequencies as provided by section 307 (b) of the Communications Act.

4. The Commission further has before it a fourth conflicting petition for rule making filed on August 6, 1953, by Fayette Associates, Wilmington, North Carolina, requesting an amendment of § 3.606 *Table of assignments*, rules governing television broadcast stations as follows:

City	Channel No.	
	Present	Proposed
Wilmington, N. C.	6, 29— *35+	3—, 6, 29— *35+

5. In support of its proposal for the addition of Channel 3 to Wilmington, petitioner urges that the proposed amendment can be accomplished without any other changes in the table of assignments; that it conforms to the requirements of the rules; and that it would provide a second locally-originated and competitive VHF service.

6. The above-mentioned notice of proposed rule making issued on July 10, 1953, is hereby amended to include the petitions of Robert R. Thomas, Jr., and Fayette Associates.

7. Authority for the adoption of the proposed amendments is contained in sections 4 (i) 301, 303 (c) (d) (f) and (r) and 307 (b) of the Communications Act of 1934, as amended.

8. Any interested party who is of the opinion that the amendment proposed by petitioners or by Daily Telegraph Printing Company, or by High Point Enterprises, Inc., should not be adopted or should not be adopted in that form set forth herein may file with the Commission on or before September 23, 1953, a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs. The Commission will consider all such comments that are submitted before taking action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

9. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: August 19, 1953.

Released: August 21, 1953.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] WM. P. MASSING,  
Acting Secretary.

[F. R. Doc. 53-7536; Filed, Aug. 27, 1953;  
8:47 a. m.]

### [ 47 CFR Part 3 ]

[Docket No. 10646]

#### TELEVISION BROADCAST STATIONS

##### TABLE OF ASSIGNMENTS

In the matter of amendment of § 3.606 *Table of assignments*, rules governing television broadcast stations; Docket No. 10646.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The Commission, upon consideration of its rules governing television broadcast stations proposes to amend § 3.606, *Table of assignments*, as follows:

(a) Add to table of assignments under the State of New York.

City: Carthage, N. Y. Channel No. 7-

(b) Change the Channel 7 assignment in Calais, Maine, from 7 to 7-

3. In view of the fact that this community is within 250 miles of the United States-Canadian border, agreement must be reached between the two countries before the assignment can be made. The Canadian authorities have indicated that they have no objection to the proposed

assignment. It appears that the proposed assignment would comply with the Commission's rules and would be in the public interest.

4. Authority for the adoption of the proposed amendments is contained in sections 4 (i) 301, 303 (c) (d) (f) and (r) and 307 (b) of the Communications Act of 1930, as amended.

5. Any interested party who is of the opinion that the proposed amendment should not be adopted or should not be adopted in the form set forth herein may file with the Commission on or before September 23, 1953, a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs. The Commission will consider all such comments that are submitted before taking action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

6. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: August 19, 1953.

Released: August 21, 1953.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] WM. P. MASSING,  
Acting Secretary.

[F. R. Doc. 53-7538; Filed, Aug. 27, 1953;  
8:48 a. m.]

### [ 47 CFR Part 3 ]

[Docket No. 10649]

#### TELEVISION BROADCAST STATIONS

##### TABLE OF ASSIGNMENTS

In the matter of amendment of § 3.606, *Table of assignments*, rules governing television broadcast stations; Docket No. 10649.

1. Notice is hereby given that the Commission has received a proposal for rule making in the above-entitled matter.

2. The Commission has before it for consideration a petition filed by Van Curler Broadcasting Corporation, Schenectady, New York, on August 11, 1953, and now made part of this docket, requesting an amendment of § 3.606 *Table of assignments*, rules governing television broadcast stations as follows:

City	Channel No.	
	Present	Proposed
Greenfield, Mass.	42+	58-
Brattleboro, Vt.	58-	77+

3. In support of its requested amendment petitioner urges that it holds a construction permit for a station on

Channel 35 at Schenectady, New York; that it proposes to change its site for one more suitable for coverage of the area, that the proposed site is satisfactory in all respects except that it does not have the required spacing to Channel 42 at Greenfield, Massachusetts; that the assignment of Channel 42 at Greenfield is defective in that it does not conform with the separation requirements of the rules; and that the proposed amendment would comply with all the Rules and would at the same time remove the sub-standard spacing on Channel 42 at Greenfield.

4. Authority for the adoption of the proposed amendment is contained in sections 4 (i) 301, 303 (c), (d), (f), and (r) and 307 (b) of the Communications Act of 1934, as amended.

5. Any interested party who is of the opinion that the amendment proposed by the petitioner should not be adopted or should not be adopted in the form set forth herein may file with the Commission on or before September 24, 1953, a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs. The Commission will consider all such comments that are submitted before taking action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

6. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: August 20, 1953.

Released: August 21, 1953.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] WM. P. MASSING,  
Acting Secretary.

[F. R. Doc. 53-7540; Filed, Aug. 27, 1953;  
8:49 a. m.]

### [ 47 CFR Part 3 ]

[Docket No. 10651]

#### TELEVISION BROADCAST STATIONS

##### TABLE OF ASSIGNMENTS

In the matter of amendment of § 3.606, *Table of assignments*, rules governing television broadcast stations; Docket No. 10651.

1. Notice is hereby given that the Commission has received a proposal for rule making in the above-entitled matter.

2. The Commission has before it for consideration a petition filed on August 3, 1953, by Charles A. Casmus, Jr., Montgomery, Alabama, and now made part of this docket, requesting in the alternative an amendment of § 3.606 *Table of assignments*, rules governing television broadcast stations as follows:

City	Channel No.	
	Present	Proposed
(a) Montgomery, Ala...	12, 20, *26+, 32	8- 12, 20, *26+, 32
West Point, Miss...	8, 56+	4-, 56+
(b) Montgomery, Ala...	12, 20, *26+, 32	3-, 12, *26+, 32
Pensacola, Fla.....	3-, 15- *21, 46	2-, 15- *21, 46

3. In support of the requested amendment, petitioner urges that the only VHF assignment within 50 miles of Montgomery is Channel 12 assigned to that city; that the size, population, and importance of the area warrants the addition of a second VHF assignment; that the proposed alternative amendments would comply with the Commission's rules on minimum assignment separations; that a large number of cities in the same population group have two or more VHF channels; and that the addition of a second VHF channel appears to be the only means of bringing about a second network and local television service to the Montgomery area.

4. Authority for the adoption of the proposed amendments is contained in sections 4 (i) 301, 303 (c) (d) (f) and (r) and 307 (b) of the Communications Act of 1934, as amended.

5. Any interested party who is of the opinion that the amendment proposed by petitioner should not be adopted or should not be adopted in the form set forth herein may file with the Commission on or before September 23, 1953, a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs. The Commission will consider all such comments that are submitted before taking action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

6. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs, or comments shall be furnished the Commission.

Adopted: August 19, 1953.

Released: August 21, 1953.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] WM. P. MASSING,  
Acting Secretary.

[F. R. Doc. 53-7541; Filed, Aug. 27, 1953;  
8:49 a. m.]

#### [ 47 CFR Part 4 ]

[Docket No. 10647]

#### AUXILIARY BROADCAST SERVICES

#### NOTICE OF PROPOSED RULE MAKING

In the matter of amendment of Part 4 of the Commission's rules and regulations governing auxiliary broadcast services; Docket No. 10647.

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. It is proposed to amend Part 4 of the Commission's rules and regulations governing the auxiliary broadcast services as set forth below.

3. On December 10, 1948, the Commission adopted a report and order in Docket No. 9877 adding a footnote (NG14) to its Table of Frequency Allocations set forth in § 2.104 (a) of the rules which permits the use of frequencies in the band 940-952 Mc for intercity relaying of programs by FM broadcast station licensees to permit network operation where suitable common carrier facilities are not available. The use of frequencies in this band for intercity relay purposes is on a secondary basis to broadcast STL stations and is subject to the condition that no harmful interference is caused to stations operating in accordance with the Table of Frequency Allocations.

4. It is now proposed to incorporate the provision for FM intercity relay stations in Part 4, Subpart E, of the Commission's rules governing broadcast STL stations because of the relationship of these services. The present rules concerning technical operation will apply to FM intercity relay stations. The title of Subpart E is amended to read "Rules Governing Broadcast STL and FM Intercity Relay Stations" and throughout Part 4, where necessary, the term "FM intercity relay station" has been inserted. These changes are editorial.

5. In addition to the above editorial changes a new paragraph (c) has been added to § 4.531 setting forth the licensing requirements for FM intercity relay stations, and present paragraph (c) has been redesignated (d) and amended to include conditions under which more than one FM intercity relay station may be authorized. These rules are similar to the provisions in Subpart F of Part 4 for Television intercity relay stations. Likewise, as in the case of television auxiliaries, provision is made for unattended operation of FM intercity relay stations.

6. Authority for the adoption of the proposed amendments set out below contained in sections 4 (i) 303 (a) (b), (c) (f) and (r) of the Communications Act of 1934 as amended.

7. Any interested party who is of the opinion that the proposed amendment should not be adopted or should not be adopted in the form set forth herein may file with the Commission on or before September 24, 1953, a written statement or brief setting forth his comments. Comments in support of the proposed amendment may also be filed on or before the same date. Comments or briefs in reply to the original comments may be filed within 10 days from the last day for filing said original comments or briefs. The Commission will consider all such comments that are submitted before taking action in this matter, and if any comments appear to warrant the holding of a hearing or oral argument, notice of the time and place of such hearing or oral argument will be given.

8. No data, views, or comments will be accepted in this proceeding with respect to frequency allocations referred

to in this notice and heretofore adopted by the Commission.

9. Interested persons desiring to submit written data, views, or comments shall, in accordance with § 1.764 of the Commission's rules, furnish the Commission with an original and 14 copies thereof.

Adopted: August 20, 1953.

Released: August 21, 1953.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] WM. P. MASSING,  
Acting Secretary.

Part 4 of the Commission's rules and regulations is proposed to be amended as follows:

1. In § 4.1 Delete paragraph (b) (2) and substitute the following:

(2) Broadcast STL and FM inter-city Relay (Subpart E).

2. In § 4.11 insert the term FM intercity relay, between the terms "broadcast STL" and "experimental facsimile" in the first sentence of this section.

3. Change the title of this Subpart E to "Broadcast STL and FM Intercity Relay Stations"

4. Change the paragraph designators (c) and (d) in § 4.501 respectively to (d) and (e) and insert a new paragraph (c) as follows:

(c) FM intercity relay station: A fixed station used for the transmission of FM broadcasting programs from one FM broadcasting station to other FM broadcasting stations to provide simultaneous network FM broadcasting and operated only by FM broadcast licensees.

5. Add a new paragraph (d) to § 4.502 to read as follows:

(d) FM intercity relay stations may be licensed on any of the frequencies listed in paragraphs (a) and (b) of this section, subject to the condition that no harmful interference is caused to stations operating in accordance with the Table of Frequency Allocations contained in § 2.104 (a) of this chapter.

6. Delete present § 4.531 and substitute the following:

§ 4.531 *Licensing requirements.* (a) An FM broadcast STL station will be licensed only to the licensee of an FM broadcasting station as an auxiliary to a particular FM broadcasting station of that licensee.

(b) A standard broadcast STL station will be licensed only to the licensee of a standard broadcast station as an auxiliary to a particular standard broadcast station of that licensee.

(c) An FM intercity relay station will be licensed only to the licensee of an FM broadcast station and only upon a satisfactory showing that suitable common carrier facilities are not available. An application for construction permit for a new FM intercity relay station or for renewal of license of an existing station shall be accompanied by a verified statement containing the following:

(1) A full statement as to why the applicant requires the requested facilities including reasons why common carrier facilities cannot be utilized; and,



(2) A showing that the applicant has, at the earliest time reasonably practicable, requested the appropriate common carrier or common carriers serving the general area involved to furnish the intercity FM transmission service required by the applicant, including in such showing a copy of the request or requests and of the reply or replies received from such common carriers.

(d) More than one broadcast STL station or FM intercity relay stations will be licensed for use with single broadcast station only upon a showing that, (1) more than one transmitter is required for the effective operation of a single STL or intercity relay circuit due to distance of transmission, terrain anomalies, or similar circumstances; or, (2) more than one STL circuit is needed to connect additional studios or more than one FM intercity relay circuit is needed to connect additional FM broadcast stations in the network; and it is shown that the nature and extent of use of such additional circuits is such as to justify their authorization.

(e) Each station shall be licensed at a fixed location and the direction of radiation of the antenna shall be fixed.

7. Delete paragraphs (b) and (c) and footnote 2 of § 4.532 and substitute the following:

(b) The license of an FM intercity relay stations authorizes the relaying of FM broadcast programs and communications relating thereto between FM broadcasting stations located in different cities in order to provide network FM broadcasting. The operation of FM intercity relay stations is subject to the condition that no harmful interference is caused to other radio stations, present or future, operating in accordance with the Table of Frequency Allocations set forth in § 2.104 (a) of this chapter.

(c) Each FM broadcast STL station, standard broadcast STL station, or FM intercity relay station will be licensed for unlimited time operation.

(d) During periods in which it is not a part of the broadcast circuit, the transmitting equipment may be used for the transmission of communications which

pertain to the broadcast operations.\* Superfluous transmissions are not permitted.

8. Delete § 4.533 and substitute the following:

§ 4.533 *Remote control and unattended operation.* (a) Broadcast STL or FM intercity relay stations may be operated by remote control: *Provided*, That such operation is conducted in accordance with the conditions listed in this section: *And provided further* That the Commission is notified at least 10 days prior to such operation and that such notification is accompanied by a detailed description of the proposed remote control installation showing the manner of compliance with the following conditions:

(1) The operating position shall be under the control and supervision of the licensee and shall be the place at which a licensed operator meeting the requirements of § 4.565 and responsible for the operation of the transmitter is stationed;

(2) A carrier operated device shall be provided at the operating position which shall give a continuous visual indication when the transmitter is radiating; or, in lieu thereof, a device shall be provided which will give a continuous visual indication when any transmitter control circuits have been placed in a condition to produce radiation;

(3) Facilities shall be provided at the operating position which will permit the operator to turn the transmitter carrier on and off at will; and

(4) The transmitter and all of its operating controls shall be so installed and protected that they are not accessible to other than authorized personnel.

(b) FM intercity relay stations, and broadcast STL stations where the circuit requires the use of more than one STL transmitter, may be operated unattended: *Provided*, That such operation is conducted in accordance with the conditions listed below: *And provided further* That the Commission is notified at least 10 days prior to the beginning of such operation and that such notification is accompanied by a detailed description of the proposed installation

showing the manner of compliance with the following conditions:

(1) The transmitter is capable of retransmitting by self-actuating means a radio signal received from another radio station or stations;

(2) The transmitter shall be provided with adequate safeguards to prevent improper operation of the equipment;

(3) The transmitter shall be so installed and protected that it is not accessible to other than duly authorized persons;

(4) Appropriate observations shall be made, at intervals not exceeding one hour during the period of its operations, at the receiving end of the circuit by a person holding a valid first or second class radiotelephone operator license who shall immediately institute measures sufficient to assure prompt correction of any condition of improper operation that is observed; and

(5) The station licensee shall remain responsible for the proper operation of the station, and all adjustments or tests during or coincident with the installation, servicing, or maintenance of the station which may affect its proper operation, shall be performed by or under the immediate supervision and responsibility of a person holding a valid first or second class radiotelephone operator license.

(c) The Commission may notify the licensee not to commence remote control or unattended operation, or to cancel, suspend, or change the date of the beginning of such operation as and when such action may appear to be in the public interest, convenience and necessity.

9. a. Substitute the term Broadcast STL and FM intercity relay stations for the term "Broadcast STL Stations" in the following sections: § 4.534, first sentence; § 4.535 (a) first sentence;

b. Substitute the term broadcast STL or FM intercity relay station for the term "broadcast STL station" in the following sections: § 4.536, first sentence; § 4.551, first sentence; § 4.561, first sentence; § 4.562, first sentence; § 4.563, first sentence; § 4.566, first sentence; § 4.581, first sentence; § 4.582, first sentence.

[F. R. Doc. 53-7539; Filed, Aug. 27, 1953; 8:48 a. m.]

## NOTICES

### DEPARTMENT OF THE TREASURY

#### Bureau of Customs

[472.13]

TWISTED JUTE PACKING, SINGLE STRAND PACKING, AND TWISTED PLUMBERS' OAKUM

#### TARIFF CLASSIFICATION

AUGUST 24, 1953.

The Bureau, by its letter to the Collector of Customs, New York, New York, dated August 24, 1953, ruled that twisted jute packing, single strand packing, and twisted plumbers' oakum are classifiable

as jute twist under paragraph 1003, Tariff Act of 1930, dutiable at appropriate rates according to the weight of the product, rather than as oakum free of duty under paragraph 1729.

\* If the transmitter and receiver are equipped with a multiplex circuit, communications during broadcast periods may be authorized upon application therefor. Such a circuit, if used, shall be designed and operated in a manner which will not cause spurious emissions or derogation of the program transmission. Studio to transmitter and transmitter to studio communication may also be provided by equipment operated under the remote pickup broadcast station rules.

As this ruling will result in the assessment of duty at a higher rate than has been heretofore assessed under an established and uniform practice, it will be applied to such or similar merchandise only when entered, or withdrawn from warehouse, for consumption after 90 days from the date of publication of an abstract of this decision in a forthcoming issue of the weekly Treasury Decisions.

[SEAL] D. B. STRUBINGER,  
Acting Commissioner of Customs.

[F. R. Doc. 53-7557; Filed, Aug. 27, 1953; 8:52 a. m.]



## DEPARTMENT OF THE INTERIOR

## Bureau of Reclamation

[Public Announcement 1]

## GILA PROJECT, ARIZONA, WELLTON-MOHAWK DIVISION

## SALE OF FARM UNITS

JUNE 26, 1953.

Gila Project, Arizona; Wellton-Mohawk Division; public announcement of the sale of farm units.

## LANDS COVERED

SECTION 1. *Offer of farm units for sale.* It is hereby announced that certain farm

units on the Wellton-Mohawk Division of the Gila Project, as shown on approved farm unit plats on file in the office of the District Manager, Bureau of Reclamation, Yuma, Arizona, and in the Land and Survey Office of the Bureau of Land Management at Phoenix, Arizona, will be sold to qualified applicants in accordance with the provisions of this announcement. Applications for purchase of farm units may be submitted beginning at 2:00 p. m., August 25, 1953.

The farm units hereby offered for sale by the United States are all in Yuma County, Arizona, and are described as follows:

GILA AND SALT RIVER MERIDIAN, ARIZONA  
TOWNSHIP 7 SOUTH, RANGE 16 WEST

Farm unit no.	Section	Farm unit	Description	Total acres	Irrigable acres	Price
1	23	A	Tract 37, Section 23; SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 26; Lots 1 and 4 Section 34	163.6	124.1	\$2,123.40
2	27	A	Lot 2, Lot 4, Lot 5, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$	153.3	127.1	672.70
3	34	B	W $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$	161.0	143.1	841.63

## TOWNSHIP 7 SOUTH, RANGE 17 WEST

4	35	A	S $\frac{1}{4}$ S $\frac{1}{4}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{4}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{4}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$	170.0	132.5	\$220.25
5	36	B	Lots 1, 2, 3, 4, 5, 6, 7, and SW $\frac{1}{4}$ NE $\frac{1}{4}$	150.7	143.8	3,844.60

## TOWNSHIP 8 SOUTH, RANGE 16 WEST

6	5	A	SW $\frac{1}{4}$	103.8	103.0	\$2,674.00
7	6	A	S $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ , Section 6; NE $\frac{1}{4}$ SW $\frac{1}{4}$ , Section 32, T. 8 S., R. 16 W.	162.8	153.1	833.80
8	6	B	SE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{4}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ , S $\frac{1}{4}$ SE $\frac{1}{4}$	164.7	154.7	919.40

## TOWNSHIP 8 SOUTH, RANGE 17 WEST

9	1	A	N $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 1; Lot 8 SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 36, T. 7 S., R. 17 W.	152.8	141.8	\$2,818.40
10	2	A	Lots 2, 3, and 5 Section 2; SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 34, T. 7 S., R. 17 W.	157.2	133.4	621.25
11	3	A	Lot 4, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$	161.3	150.3	3,653.60
12	4	A	Lots 6 and 8, E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 4; Lots 6 and 8 and N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 5	155.0	133.4	613.60
13	5	B	S $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{4}$ SE $\frac{1}{4}$	160.5	135.0	753.32
14	7	A	Lot 5, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{4}$ NE $\frac{1}{4}$	167.0	152.8	945.00
15		B	Lots 2 and 8, and SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 7; Lots 9 and 11 Section 6	142.6	136.5	481.00
16		O	Lots 3 and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$	155.1	143.8	614.60
17		D	SE $\frac{1}{4}$	160.3	154.5	763.40
18	8	A	NE $\frac{1}{4}$	157.7	152.6	1,532.20
19		B	NW $\frac{1}{4}$	161.9	157.9	1,532.00
20		C	SW $\frac{1}{4}$	173.9	155.9	610.40
21		D	SE $\frac{1}{4}$	158.7	150.9	547.60
22	9	A	SE $\frac{1}{4}$	169.7	154.6	543.80
23		B	SW $\frac{1}{4}$	153.8	153.8	617.60
24	10	A	Lots 1, 4, and 6 and W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 10; Lot 1, Section 15	151.2	132.1	673.83
25		B	Lots 2, 3, and 5, and NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10; Lot 2, Section 15; NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 17	140.9	123.5	457.80
26	15	O	S $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 15; Tract 38 and Lot 3, Section 22	143.8	137.5	691.52
27	21	A	SE $\frac{1}{4}$ SE $\frac{1}{4}$ , Section 17; N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Section 20; S $\frac{1}{4}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ , S $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Section 21	122.8	117.5	554.60

## TOWNSHIP 8 SOUTH, RANGE 18 WEST

28	12	B	Lot 1, N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$	157.1	153.0	\$510.60
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SEC. 2. *Limit of acreage which may be purchased.* The lands covered by this announcement have been divided into farm units. Each of the farm units represents the acreage which, in the opinion of the Secretary of the Interior, may reasonably be required for the support of a family upon such land. The areas in the different units are fixed at the amounts shown upon the farm unit

plats referred to in section 1 of this announcement.

## PREFERENCE RIGHTS OF VETERANS

SEC. 3. *Nature of preference.* Preference will be given to applications which are made by certain veterans (and in some cases by their wives, husbands, or guardians of minor children) and which are received in the office of the District

Manager, Bureau of Reclamation, Yuma, Arizona, before 2 p. m., November 25, 1953. The six classes of persons who will be eligible for this veterans preference are as follows:

(a) Persons, including those under 21 years of age, who have served in the Army, Navy, Marine Corps, Air Force, or Coast Guard of the United States for a period of at least 90 days at any time between September 16, 1940, and July 3, 1952, inclusive, and have been honorably discharged.

(b) Persons, including those under 21 years of age, who have served in the Army, Navy, Marine Corps, Air Force, or Coast Guard during the period described in subsection (a) of this section, regardless of length of service, and who have been discharged on account of wounds received or disability incurred during such period in the line of duty, or, subsequent to a regular discharge, have been furnished hospitalization or awarded compensation by the Government on account of such wounds or disability.

(c) The spouse of any person in either of the first two classes listed in this section, if the spouse has the consent of such person to exercise his or her preference right. (See subsection 7 (c) of this announcement regarding provision that a married woman must be head of a family.)

(d) The surviving spouse of any person in either of the first two classes listed in this section, or in the case of the death or marriage of such spouse, the minor child or children of such person, by a guardian duly appointed and officially accredited at the Department of the Interior.

(e) The surviving spouse of any person whose death has resulted from wounds received or disability incurred in the line of duty while serving in the Army, Navy, Marine Corps, Air Force, or Coast Guard during the period described in subsection (a) of this section, or in the case of the death or marriage of such spouse, the minor child or children of such person, by a guardian duly appointed and officially accredited at the Department of the Interior.

(f) Persons who have served in the United States Army, Navy, Marine Corps or Coast Guard during the War with Germany which commenced April 6, 1917, and terminated March 3, 1921, or during the War with Spain or the Suppression of the Insurrection in the Philippines, which war and insurrection commenced April 21, 1898, and terminated July 15, 1903, and were honorably separated or discharged therefrom or placed in the regular Army or Naval Reserve.

In order to be eligible to purchase farm units, all applicants, whether or not entitled to veterans preference, must possess the necessary qualifications as to character and industry, farm experience, health and capital (see section 6 of this announcement).

SEC. 4. *Definition of honorable discharge.* An honorable discharge means:

(a) Separation from the service by means of an honorable discharge or by the acceptance of resignation or a discharge under honorable conditions.

(b) Release from active duty under honorable conditions to an inactive status, whether or not in a reserve component, or retirement.

Any person who obtains an honorable discharge as herein defined shall be entitled to veterans preference even though such person thereafter resumes active military duty.

#### QUALIFICATIONS REQUIRED OF PURCHASERS

**SEC. 5. Examining board.** An examining board of four members, including the Chief, Operations Division, of the Lower Colorado River District, Bureau of Reclamation, who will act as secretary of the board, has been approved by the Commissioner of Reclamation to determine the qualifications and fitness of applicants to undertake the purchase, development and operation of a farm on the Wellton-Mohawk Division, Gila Project. The board will make careful investigations to verify the statements made by applicants. Any false statement may constitute grounds for rejection of an application and cancellation of the applicant's right to purchase a farm unit.

**SEC. 6. Minimum qualifications.** This section sets forth the minimum qualifications which are necessary to give reasonable assurance of success of a contract purchaser of a farm unit. Applicants must, in the judgment of the examining board, meet these qualifications in order to be eligible for the purchase of farm units. Failure to meet them in any single respect will be sufficient cause for rejection of an application. No credit will be given for qualifications in excess of the required minimum.

The minimum qualifications are as follows:

(a) *Character and industry.* An applicant must be possessed of honesty, temperate habits, thrift, industry, seriousness of purpose, record of good moral conduct, and a bona fide intent to engage in farming as an occupation.

(b) *Farm experience.* Except as otherwise provided in this subsection, an applicant must have had a minimum of two years (24 months) full-time farm experience, which shall consist of participation in actual farming operations, after attaining the age of 15 years. Time spent in agricultural courses in an accredited agricultural college or time spent in work closely associated with farming, such as teaching vocational agriculture, agricultural extension work, or field work in the production or marketing of farm products, which, in the opinion of the board, will be of value to an applicant in operating a farm, may be substituted for full-time farm experience. Such substitution shall be on the basis of one year (academic year of at least nine months) of agricultural college courses or one year (twelve months) of work closely associated with farming for six months of full-time farm experience. Not more than one year of full-time farm experience of this type will be allowed. A farm youth who actually resided and worked on a farm after attaining the age of 15 and while attend-

ing school may credit such experience as full-time experience.

Applicants who have acquired their experience on an irrigated farm will not be given preference over those whose experience was acquired on a nonirrigated farm, but all applicants must have had farm experience of such a nature as, in the judgment of the examining board, will qualify the applicants to undertake the development and operation of an irrigated farm by modern methods.

(c) *Health.* An applicant must be in such physical condition as will enable him to engage in normal farm labor.

(d) *Capital.* An applicant must possess assets worth at least \$5,000 in excess of liabilities. Assets must consist of cash, property or assets readily convertible into cash, or assets such as livestock, farm machinery and equipment, which, in the opinion of the board, will be useful in the development and operation of a new, irrigated farm. In considering the practical value of property which will be useful in the development of a farm, the board will not value household goods at more than \$500 or a passenger car at more than \$500. An applicant may be required to furnish a certified financial statement showing Assets not useful in the development of a farm will be considered if the applicant furnishes, at the board's request, evidence of the value of the property and proof of its conversion into useful form before execution of a land sale contract.

**SEC. 7. Other qualifications required.** All applicants (except guardians) must meet the following requirements:

(a) Must be a citizen of the United States or have declared an intention to become a citizen of the United States.

(b) Must not own more than 160 acres of land in the United States at the time of his execution of a land sale contract.

(c) Must, if a married woman, or a person under 21 years of age who is not eligible for veterans preference, be the head of a family. The head of a family is ordinarily the husband, but a wife or a minor child who is obliged to assume major responsibility for the support of a family may be the head of a family.

(d) Must not hold or own, within any Federal Reclamation project, irrigable land for which construction charges payable to the United States have not been fully paid, except that this restriction does not apply to small tracts used exclusively for residential purposes.

Prior to his execution of a land sale contract, an applicant who owns lands in a Federal Reclamation project must furnish satisfactory evidence that the total construction charges allocated against the land owned by the applicant have been paid in full.

#### WHERE AND HOW TO SUBMIT AN APPLICATION

**SEC. 8. Application blanks.** Any person desiring to purchase a farm unit offered for sale by this announcement must fill out the attached application blank (Form 7-511a) and file it with the District Manager, Lower Colorado River District, Bureau of Reclamation, Yuma,

Arizona, in person or by mail. Additional application blanks may be obtained from the Bureau of Reclamation, Yuma, Arizona, the Regional Director, Bureau of Reclamation, Boulder City, Nevada; or the Commissioner of Reclamation, Department of the Interior, Washington 25, D. C. No advantage will accrue to an applicant who presents an application in person. Each application submitted, including evidence of qualification to be submitted following the public drawing, will become a part of the records of the Department of the Interior and cannot be returned to the applicant. For this reason, original discharge or citizenship papers should not be submitted.

#### SELECTION OF QUALIFIED APPLICANTS

**SEC. 9. Priority of applications.** All applications will be classified for priority purposes and considered in the following order:

(a) *First Priority Group.* All complete applications filed prior to 2:00 p. m., November 25, 1953, by applicants who claim veterans preference. All such applications will be treated as simultaneously filed.

(b) *Second Priority Group.* All complete applications filed prior to 2:00 p. m., November 25, 1953, by applicants who do not claim veterans preference. All such applications will be treated as simultaneously filed.

(c) *Third Priority Group.* All complete applications filed after 2:00 p. m., November 25, 1953. Such applications will be considered in the order in which they are filed if any farm units are available for sale to applicants within this group.

**SEC. 10. Public drawing.** After the priority classification, the board will conduct a public drawing of the names of the applicants in the First Priority Group as defined in subsection 9 (a) of this announcement. Applicants need not be present at the drawing in order to participate therein. The names of a sufficient number of applicants (not less than four times the number of farm units offered for sale) shall be drawn and numbered in the order drawn for the purpose of establishing the order in which the applications drawn will be examined by the board to determine whether the applicants meet the minimum qualifications prescribed in this announcement, and to establish the priority of qualified applicants for the selection of farm units. After such drawing, the board shall notify only those applicants whose names are drawn of their respective standings.

**SEC. 11. Submission of evidence of qualification.** After the drawing a sufficient number of applicants, in the order of their priority as established in the drawing, will be supplied with forms on which to submit evidence of qualification showing that they meet the qualifications set forth in section 6 and 7 of this announcement and, in case veterans preference is claimed, establishing proof of such preference, as set forth in Section 3 of this announcement. Full and accurate answers must be made to all questions. The completed form, together with any attachments required,

must be mailed or delivered to the District Manager, Bureau of Reclamation, Yuma, Arizona, within 30 days of the date the form is mailed to the last known address furnished by the applicant. Failure of an applicant to furnish all of the information requested or to see that information is furnished by his references within the period specified will subject his application to rejection.

**SEC. 12. Examination and interview.** After the information requested as outlined in Section 11 of this announcement has been received or the time for submitting such statements has expired, the board shall examine in the order drawn a sufficient number of applications, together with the evidence of qualification submitted, to determine the applicants who will be permitted to purchase farm units. This examination will determine the sufficiency, authenticity, and reliability of the information and evidence submitted by the applicants. If the examination indicates that an applicant is qualified, the applicant may be required to appear for a personal interview with the board for the purpose of: (a) Affording the board any additional information it may desire relative to his qualifications; (b) affording the applicant any information desired relative to conditions in the area and the problems and obligations relative to development of a farm unit; and (c) affording the applicant an opportunity to examine the farm units. If the applicant fails to appear before the board for a personal interview when requested he shall thereby forfeit his priority as established by the drawing.

If the board finds that an applicant's qualifications fulfill the requirements prescribed in this announcement, such applicant shall be notified, in person or by registered mail, that he is a qualified applicant and shall be given an opportunity to select one of the farm units then available for purchase. An applicant will be required prior to the execution of a land sale contract to submit evidence satisfactory to the board that he does not own more than 160 acres of land in the United States.

If the applicant fails to supply any of the information required or the board finds that the applicant's qualifications do not meet the requirements prescribed in this announcement, the applicant shall be disqualified and shall be notified by the board, by registered mail, or such disqualification and the reasons therefor and of the right to appeal to the Regional Director, Region 3, Bureau of Reclamation. All appeals must be received in the office of the District Manager of the Lower Colorado River District within 15 days of the applicant's receipt of such notice, or in any event, within 30 days from the date the notice is mailed to the last address furnished by the applicant. The District Manager will forward the appeals promptly to the Regional Director. The Regional Director's decision on all appeals shall be final.

#### SELECTION OF FARM UNITS

**SEC. 13. Order of selection.** The applicants who have been notified of their qualification to purchase a farm unit will

successively exercise the right to select a farm unit in accordance with the priority established by the drawing. If a farm unit becomes available through failure of a qualified applicant to exercise his right of selection or failure to complete his purchase, it will be offered to the next qualified applicant who has not made a selection at the time the unit is again available. An applicant who is considered to be disqualified as a result of the personal interview will be permitted to exercise his right to select, notwithstanding his disqualification, unless he voluntarily surrenders this right in writing. If, on appeal, the action of the board in disqualifying an applicant as a result of the personal interview is reversed by the Regional Director, the applicant's selection shall be effective, but if such action of the board is upheld by the Regional Director, the farm unit selected by this applicant will become available for selection by qualified applicants who have not exercised their right to select.

If any of the farm units listed in this announcement remain unselected after all qualified applicants whose names were selected in the drawings have had an opportunity to select a farm unit, and if additional applicants remain in the First Priority Group, the board will follow the same procedure outlined in section 10 of this announcement in the selection of additional applicants from this group.

If any of the farm units remain unselected after all qualified applicants in the First Priority Group have had an opportunity to select a farm unit, the board will follow the same procedure to select applicants from the Second Priority Group and they will be permitted to exercise their right to select a farm unit in the manner prescribed for the qualified applicants from the First Priority Group.

Any farm units remaining unselected after all qualified applicants in the Second Priority Group have had an opportunity to select a farm unit will be offered to applicants in the Third Group in the order in which their applications were filed, subject to the determination of the board, made in accordance with the procedure prescribed herein, that such applicants meet the minimum qualifications prescribed in this announcement.

If any farm unit offered by this announcement remains unsold for a period of two years following the date of this announcement, the unit, unless withdrawn from the announcement, will be offered to the first applicant who files an application after the expiration of the two year period and who meets the qualifications prescribed by this announcement, without regard to veterans preference.

**SEC. 14. Failure to select.** If any applicant refuses to select a farm unit or fails to do so within the time specified by the board, such applicant shall forfeit his position in his priority group and his name shall be placed last in that group.

**SEC. 15. Execution of land sale contract.** When an available farm unit is

selected by an applicant as provided in section 13 of this announcement the District Manager will promptly give the applicant a written notice confirming the availability to him of the unit selected and will furnish him with the land sale contract form, together with instructions concerning its execution and return and the time allowed therefor. In that notice the District Manager also will inform the applicant of the amount of the minimum down payment for the farm unit and of any further action required in connection with the conversion of assets pursuant to subsection 6 (d) the payment pursuant to subsection 7 (d) of construction charges on lands owned on any Reclamation project and the submission pursuant to section 12 of evidence that he does not own more than 160 acres of land in the United States.

If in the case of any applicant the land sale contract is not executed, acknowledged and returned to the District Manager in conformity with the above mentioned instructions, accompanied by payment of the above mentioned amounts, and completion of any other action specified in the instructions the application will be subject to rejection.

**SEC. 16. Terms of sale.** Contracts for the sale of farm units pursuant to this announcement will contain among others, the following principal provisions:

(a) *Down payment.* An initial or down payment of \$1.00 per acre or 10 percent of the purchase price, whichever is greater, will be required upon execution of the land sale contract. Larger proportions, or the entire amount of the purchase price, may be paid initially at the purchaser's option.

(b) *Schedule for payment of balance and interest rate.* If only a portion of the purchase price is paid initially, the balance will be payable within a period of 8 years following the date of the land sale contract. No payments on the balance of the principal will be required during the first three years. The balance of the principal will be payable in five equal installments, which shall be payable at yearly intervals on the anniversary date of the land sale contract beginning three (3) years after the date thereof. Payment of any or all installments or any portion thereof may be made before the due date at the purchaser's option. No interest shall be charged on any charges due from the purchaser except that on all such charges or any part thereof which remain unpaid by the purchaser to the United States after the same become due, an interest charge of  $\frac{1}{2}$  of 1 percent of the amount unpaid shall be added thereto and thereafter an additional interest charge of  $\frac{1}{2}$  of 1 percent of the principal sum unpaid shall be added on the first day of each succeeding calendar month until the amount due, including such interest, is paid in full.

(c) *Cultivation requirements.* In order that the irrigable area of the farm unit shall be developed with reasonable dispatch each purchaser will be required, as a minimum, to clear, level, irrigate and grow crops on at least  $\frac{1}{2}$  of the irrigable area of the farm unit for at

least two years prior to eight years from the date of execution of the contract or before receiving title to the unit, whichever is earlier. The crop production requirements of this section must be performed by the purchaser personally, by members of his immediate family residing with him, or by persons employed under his direction, supervision and management.

(d) *Residence and improvement requirements.* A major objective of the settlement program of the Gila Project is to assist and encourage permanent settlement of farm families. In keeping with this objective each purchaser will be required to reside on the land for a period of at least seven months during each of the three 12-month periods immediately following the establishment of residence, except that military and naval service of honorably discharged veterans with at least 90 days service may be substituted month for month for the seven months of residence required during the third 12-month period and such service in excess of twelve months may be substituted month for month for the seven months of residence required during the second 12-month period. Such residence must be established by the purchaser by personally moving onto the farm unit within six months from the date of the land sale contract or within six months from the date that water is first made available to the irrigation block in which the farm unit is located, whichever is later. The time for compliance with the establishment of residence may be extended by the District Manager for periods of as long as six months, upon his determination that an extension is necessary to avoid undue hardship to the purchaser and that it will not be detrimental to the orderly development of the irrigation block, but the initial date for establishment of residence shall not in any event be extended for more than one year beyond the initial period first above provided. The purchaser shall erect a habitable dwelling upon the farm unit before receiving title to the unit.

(e) *Waiver clause.* In extraordinary situations, any or all of the requirements set out in (c) and (d) above may be waived by the Regional Director on his determination, after recommendation by the District Manager, that such waiver would be in the interest of the orderly development of the block.

(f) *Speculation and land holding limitations.* The farm units are sold pursuant to the provisions of this announcement and the provisions of the act of Congress, approved June 17, 1902 (32 Stat. 388) and acts amendatory thereof or supplementary thereto, particularly the act of December 21, 1928 (45 Stat. 1057) as amended, and the act of July 30, 1947 (61 Stat. 628) and of the contract dated March 4, 1952, between the United States and Wellton-Mohawk Irrigation and Drainage District entitled: Contract with Wellton-Mohawk Irrigation and Drainage District for Construction of Works and for Delivery of Water, and the purchaser must agree to comply with all the terms, conditions and limitations thereof and of Articles 24,

25, 26 and 28 of said contract, which provide, among other things, for the execution of recordable excess-land and incremental value contracts. Simultaneously with his execution of a land sale contract, the purchaser will be required to execute an "incremental value" contract covering the farm unit described in the land sale contract.

(g) *Copies of the contract form.* The terms listed above and other contract provisions are contained in the "Land Sale Contract" form, copies of which may be examined in the offices of the District Manager, Bureau of Reclamation, Yuma, Arizona, or the offices of the Regional Director, Bureau of Reclamation, Boulder City Nevada.

#### IRRIGATION, GENERAL REPAYMENT OBLIGATION AND OTHER CHARGES

**SEC. 17. Temporary water rental charges.** While some construction activity is continuing and the irrigation system is being tested, it is expected that water will be furnished on a temporary rental basis to those desiring it on terms which will be announced by the Regional Director.

**SEC. 18. Charges for water delivery during development period.** Pursuant to the provisions of the repayment contract of March 4, 1952, between the United States and the Wellton-Mohawk Irrigation and Drainage District, the Secretary of the Interior will announce a development period of 10 years for each irrigation block in the Wellton-Mohawk Division, during which time payment of general repayment obligation charges will not be required. An irrigation block which will include the farm units listed in Section 1 probably will be designated during 1953. Charges for delivery of water during development period will be established by the Regional Director in accordance with the aforementioned contract of March 4, 1952.

In addition to temporary water rental charges and charges for delivery of water during development period, the farm unit will be subject to District taxes and assessments as provided in section 20. From time to time following the beginning of the development period for each irrigation block the District upon making appropriate arrangements with the Secretary may undertake the care, operation and maintenance of the distribution system and other works except those specified as reserved works by the contract of March 4, 1952. After assumption of responsibility for operation and maintenance of works by the District, the District will make such charges as may be required to meet costs of the care, operation and maintenance of works transferred to it. These charges will be payable in addition to charges which will be made for the care, operation and maintenance of works retained by the United States and utilized in delivery of water to works under the care of the District.

**SEC. 19. Payments after development period.** The District shall, when necessary, levy and collect appropriate taxes, assessments and/or other charges sufficient to enable it to pay to the United

States operation and maintenance charges and general repayment obligation charges as provided in the contract of March 4, 1952.

The general repayment obligation of the District subject to certain qualifications will not exceed \$42,000,000. Said obligation will be allocated among several irrigation blocks aggregating approximately 75,000 irrigable acres. Each irrigation block will be required to pay its allocated share during the 60-year period immediately following the end of its development period. District levies covering these charges will be graduated according to the productivity group in which the land is situated in accordance with the mechanics therefor provided in the repayment contract. At the option of the Board of Directors of the District, payment of these charges will be computed in accordance with a variable formula providing for payment of lesser amounts during periods of low agricultural prices and greater payments during periods of high agricultural prices.

**SEC. 20. Taxes and assessments.** On the first Monday of the January next succeeding the date of each land sale contract the lands covered by such contract shall, within the limitations set out in Article 22 of the above-mentioned District contract dated March 4, 1952, become subject to the provisions of the laws of the State of Arizona relating to the organization, government and regulation of irrigation, electrical, power and other similar districts and subject to legal assessment or taxation by any such district and by said State or political subdivisions thereof, and to liens for such assessments and taxes and to all proceedings for the enforcement thereof, in the same manner and to the same extent as privately-owned lands, and shall remain subject thereto during the time such land sale contract shall remain in effect. After title to said lands has passed to the purchaser, he will be subject to the same obligations as the owner of private lands situated within the District.

#### GENERAL PROVISIONS

**SEC. 21. Warning against unlawful settlement.** No person shall be permitted to gain or exercise any right under any settlement or occupation of any of the lands covered by this announcement, except under the terms and conditions prescribed herein.

**SEC. 22. Reservation of rights-of-way for public roads.** Rights-of-way along section lines and other lines shown in red on the farm unit plats described in section 1 of this announcement are reserved for county, state and Federal highways and access roads to the farm units shown on said farm unit plats.

**SEC. 23. Reservations and exceptions.** The sales of the farm units will be subject to existing rights-of-way in favor of the public or third parties. In each such sale, there will be reserved to the United States and its successors and assigns in the operation and maintenance of the Wellton-Mohawk Division rights-of-way for canals, laterals, ditches, levees, dikes, roadways, pipelines, electric transmis-

sion lines, and telephone and telegraph lines. There may also be reserved to the United States any mineral, oil, and gas rights if required.

Sec. 24. *Reservation of fissionable materials.* Pursuant to the provisions of the act of August 1, 1946 (60 Stat. 755, U. S. C. 1801, et seq.) the land sale contract will reserve to the United States all uranium, thorium or any other material which is or may be determined to be peculiarly essential to the production of fissionable materials, whether or not of commercial value, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine and remove the same.

Sec. 25. *Flood hazard.* The lands to be sold lie in the flood plain of the Gila River and may be subject to flooding from runoff after heavy rains. A flood control dam has been authorized for construction by the Corps of Engineers, U. S. Army above the project area but money has been appropriated only for advance planning. Purchasers are warned that in case of runoff resulting in the flooding of any of the lands the Government assumes no responsibility for damage to persons or property caused by such flooding.

Charterer	Vessel	Docket No.	Date Vessel Delivered
Alaska Steamship Company	Coastal Monarch	M-11	Aug. 9, 1943
	Sailors Splice	M-11	April 27, 1943
	Coastal Rambler	M-11	Aug. 19, 1943
	Lucifer	M-11	Dec. 16, 1943
	Pulsara	M-11	Do.
American President Lines, Ltd.	Flemish Knot	M-11	July 23, 1943
	Square Knot	M-11	July 6, 1943
	Square Sinct	M-11	Aug. 1, 1943
	Ring Splice	M-11	Jan. 14, 1943
	Lightning	M-27	April 16, 1951
Luckenbach Steamship Company, Inc.	Shooting Star	M-32	May 23, 1951
	Pine Bluff Victory	M-14	Mar. 23, 1951
	Wayne Victory	M-14	Apr. 23, 1951
	Red Oak Victory	M-29	Feb. 11, 1952
	Coastal Nomad	M-9	Dec. 23, 1945
Grace Line, Inc.	Coastal Adventurer	M-9	Jan. 21, 1947
	Anchor Hitch	M-9	Jan. 3, 1947
Pacific Far East Line, Inc.	Contest	M-10	Apr. 27, 1947
	Flying Dragon	M-10	May 8, 1947
	Surprise	M-10	Dec. 29, 1943
	Trade Wind	M-10	Jan. 20, 1949
	Fleetwood	M-10	Dec. 27, 1943
	Flying Scud	M-10	Dec. 19, 1943
	Sea Serpent	M-27	Mar. 23, 1951

and Whereas, notice of the foregoing tentative findings was served on all interested parties and was published in the FEDERAL REGISTER on July 18, 1953, and interested parties were granted fifteen (15) days from the date of such publication to request a hearing concerning such tentative findings made with respect to any of the above charters by filing written objections thereto or for other good cause shown, and Whereas, no objections or requests for hearing were filed. It is found on the basis of evidence considered by the Board and it is hereby certified to the Secretary of Commerce that conditions exist justifying the continuance of the charters listed above, upon the conditions originally certified by the Federal Maritime Board.

Dated: August 17, 1953.  
No. 169—4

NOTE: The reporting requirement of this announcement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

FRED G. AARDAHL,  
Assistant Secretary of the Interior  
[F. R. Doc. 53-7529; Filed, Aug. 27, 1953;  
8:46 a. m.]

DEPARTMENT OF COMMERCE  
Federal Maritime Board  
[Dockets Nos. M-11, M-27, M-32, M-14, M-50,  
M-9, M-10, M-27, M-57, M-69]

UNITED STATES FLAG OPERATORS  
ANNUAL REVIEW OF BAREBOAT CHARTERS

Whereas, in accordance with section 3 (e) (1) of the Merchant Ship Sales Act of 1946, as amended, an annual review has been made of the bareboat charters of Government-owned, war-built, dry-cargo vessels recommended for use by the United States flag operators during the period from June 30, 1952, to June 30, 1953, inclusive and Whereas, on the basis of the foregoing review, the Federal Maritime Board has tentatively found that conditions exist justifying the continuance of each of the following charters under the conditions previously certified by the Board:

By order of the Federal Maritime Board.  
[SEAL] A. J. WILLIAMS,  
Secretary.  
[F. R. Doc. 53-7552; Filed, Aug. 27, 1953;  
8:51 a. m.]

DEPARTMENT OF AGRICULTURE  
Office of the Secretary  
UNDER SECRETARY OF AGRICULTURE AND  
EACH ASSISTANT SECRETARY OF AGRICULTURE  
DELEGATION OF AUTHORITY TO PERFORM ALL  
DUTIES AND EXERCISE ALL POWERS AND  
FUNCTIONS OF SECRETARY OF AGRICULTURE

a. Pursuant to the authority vested in me by Reorganization Plan No. 2, 1953, and subject to the provisions of paragraph c hereof, there is hereby delegated

to the Under Secretary of Agriculture and each Assistant Secretary of Agriculture, severally, the authority to perform all duties and to exercise all the powers and functions which are now, or which may hereafter be, vested in me. The authority herein conferred upon each of the Assistant Secretaries of Agriculture will be exercised by each of such officers in connection with the functions of the agencies assigned to his direction and supervision as provided in paragraph b hereof, except when it may be necessary that he act otherwise because any other Assistant Secretary is absent or otherwise unavailable. The authority granted hereunder may also be exercised in the discharge of any additional functions which the Secretary of Agriculture may assign.

b. Each of the Assistant Secretaries, the Administrative Assistant Secretary, and the Director of Agricultural Credit Services shall exercise general direction and supervision of agencies of the Department of Agriculture, as set forth herein, and shall perform such other functions as the Secretary of Agriculture may from time to time assign.  
(1) The Assistant Secretary of Agriculture for Research, Extension, and Land Use shall exercise general direction and supervision of the following agencies:

- Agricultural Conservation Program.
  - Agricultural Research Administration.
  - Bureau of Agricultural Economics.
  - Extension Service.
  - Forest Service.
  - Soil Conservation Service.
- (2) The Assistant Secretary of Agriculture for Commodity Marketing and Adjustment shall exercise general direction and supervision of the following agencies:
- Commodity Credit Corporation.
  - Commodity Exchange Authority.
  - Federal Crop Insurance Corporation.
  - Production and Marketing Administration.
- (3) The Assistant Secretary of Agriculture for Foreign Agricultural Service shall exercise general direction and supervision of the following agency: Foreign Agricultural Service.
- (4) The Director of Agricultural Credit Services shall exercise general direction and supervision of the following agencies:

- Farm Credit Administration.
  - Farmers Home Administration.
  - Rural Electrification Administration.
- (5) The Administrative Assistant Secretary of Agriculture shall exercise general direction and supervision of the following agencies:
- Office of Budget and Finance.
  - Office of Hearing Examiners.
  - Office of Information.
  - Library.
  - Office of Personnel.
  - Office of Plant and Operations.

With respect to the functions affected by this assignment, and any additional functions which the Secretary of Agriculture may assign to him, the Administrative Assistant Secretary is authorized to perform all duties and to exercise all



the power and functions which are now, or which may hereafter be, vested in me.

c. This order shall not be construed to confer upon any officer named herein the authority of the Secretary of Agriculture to prescribe such regulations as may be necessary pursuant to section 8c (15) (A) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 608c (15) (A)).

d. The determination of any matter by any of the officers named herein which requires the application of new principles or a departure from principles heretofore announced by the Secretary of Agriculture shall be brought to the attention of the Secretary for approval.

e. (1) This order shall supersede all orders heretofore issued by the Secretary of Agriculture delegating authority to the Under Secretary of Agriculture and the Assistant Secretary of Agriculture.

(2) Except as provided in subparagraph (1) of this paragraph, the provisions of this order are not intended to supersede or modify any delegations of authority heretofore made by the Secretary of Agriculture.

f. The provisions of this order shall not preclude the Secretary of Agriculture from exercising any of the powers and functions or from performing any of the duties herein conferred.

g. Any action taken by the officers herein designated in the exercise, on or after June 4, 1953, of the authority herein delegated is hereby confirmed, in view of the informal authorization heretofore granted.

Done at Washington, D. C., this 24th day of August 1953.

[SEAL] E. T. BENSON,  
Secretary of Agriculture.

[F. R. Doc. 53-7562; Filed, Aug. 27, 1953;  
8:53 a. m.]

## COMMITTEE FOR RECIPROCITY INFORMATION

### JAPAN

#### GENERAL AGREEMENT ON TARIFFS AND TRADE

1. Japan's application for temporary accession to the General Agreement on Tariffs and Trade;

2. Extension of the date after which Article XXVIII of the General Agreement may be invoked.

Submission of information to the Committee for Reciprocity Information. Closing date for application to be heard: September 10, 1953. Closing date for submission of briefs: September 10, 1953. Public hearings open: September 14, 1953.

The Interdepartmental Committee on Trade Agreements has issued on this day a notice of intention<sup>1</sup> to consider (1) Japan's application for temporary participation in the General Agreement on Tariffs and Trade, and (2) the extension of the date after which Article XXVIII

<sup>1</sup> See F. R. Doc. 53-7596, Interdepartmental Committee on Trade Agreements, *infra*.

of the General Agreement on Tariffs and Trade, as amended, may be invoked.

The Committee for Reciprocity Information hereby gives notice that all applications for oral presentation of views in regard to the foregoing proposals shall be submitted to the Committee for Reciprocity Information not later than 12:00 noon September 10, 1953, and all information and views in writing in regard to the foregoing proposals shall be submitted to the Committee for Reciprocity Information not later than 12:00 noon September 10, 1953. Such communications shall be addressed to "The Chairman, Committee for Reciprocity Information, Tariff Commission Building, Washington 25, D. C." Eleven copies of written statements, either typed, printed, or duplicated shall be submitted, of which one copy shall be sworn to.

Public hearings will be held before the Committee for Reciprocity Information, at which oral statements will be heard. The first hearing will be at 10:00 a. m. on September 14, 1953, in the Hearing Room in the Tariff Commission Building, Eighth and E Streets NW., Washington, D. C. Witnesses who make application to be heard will be advised regarding the time of their individual appearances. Appearances at hearings before the Committee may be made only by or on behalf of those persons who have filed written statements and who have within the time prescribed made written application for oral presentation of views. Statements made at the public hearings shall be under oath.

Copies of the notice issued today by the Interdepartmental Committee on Trade Agreements may be obtained from the Committee for Reciprocity Information, Tariff Commission Building, Washington 25, D. C., and may be inspected in the Field Offices of the Department of Commerce.

By direction of the Committee for Reciprocity Information this 26th day of August 1953.

EDWARD YARDLEY,  
Secretary,

Committee for Reciprocity Information.

[F. R. Doc. 53-7595; Filed, Aug. 27, 1953;  
9:00 a. m.]

## INTERDEPARTMENTAL COMMITTEE ON TRADE AGREEMENTS

### JAPAN

#### GENERAL AGREEMENT ON TARIFFS AND TRADE

1. Japan's application for Temporary Accession to the General Agreement on Tariffs and Trade;

2. Extension of the date after which Article XXVIII of the General Agreement may be invoked.

Pursuant to section 4 of the Trade Agreements Act approved June 12, 1934, as amended (48 Stat. (pt. 1) 945, ch. 474; 65 Stat. 73, ch. 141) and pursuant to paragraph 4 of Executive Order 10082 of October 5, 1949 (3 CFR, 1949 Supp. p. 126) notice is hereby given by the Interdepartmental Committee on Trade

Agreements of intention to consider: (1) Japan's application to the Contracting Parties to the General Agreement on Tariffs and Trade for temporary participation in the General Agreement; and (2) the extension of the date after which Article XXVIII of the General Agreement on Tariffs and Trade, as amended, may be invoked.

Under Japan's proposal, the United States and other contracting parties would apply to Japan, for such time as may be agreed upon, the provisions of the agreement (including the schedules thereto containing the tariff concessions) in return for the application to them by Japan of such provisions and for commitments with respect to Japan's tariff. The proposal would not involve the modification of any United States tariff rates nor the addition to the agreement of any new articles imported into the United States.

Article XXVIII now provides that the concessions on individual products, negotiated at Geneva in 1947, at Annecy in 1949, or at Torquay in 1950 to 1951, may be modified or withdrawn on or after January 1, 1954, following consultation and negotiation with other contracting parties, without the necessity of terminating the entire agreement. The article envisages that the balance between the concessions granted by the various contracting parties shall be maintained, preferably through the negotiation of new concessions in compensation for any modifications or withdrawals made, but through retaliatory modifications by other parties if agreement cannot be reached on new concessions. To the extent that agreement is reached to extend the date, either through amendment of Article XXVIII or agreement not to invoke it, it would mean that concessions could not be modified or withdrawn by the procedure provided for in that article until such new later date. In 1951 the date, which had previously been January 1, 1951, was extended to January 1, 1954. No extension of the date in Article XXVIII will affect the right of any contracting party to withdraw or modify individual concessions pursuant to Article XIX (commonly called "the escape clause") of the General Agreement.

Pursuant to section 4 of the Trade Agreements Act, as amended, and paragraph 5 of Executive Order 10082, information and views as to any aspect of the proposals announced in this notice may be submitted to the Committee for Reciprocity Information<sup>1</sup> in accordance with the announcement of this date issued by that Committee.

By direction of the Interdepartmental Committee on Trade Agreements this 26th day of August 1953.

CARL D. CORSE,  
Chairman, Interdepartmental  
Committee on Trade Agreements.

[F. R. Doc. 53-7598; Filed, Aug. 27, 1953;  
9:00 a. m.]

<sup>1</sup> See F. R. Doc. 53-7595, Committee for Reciprocity Information, *supra*.



# FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 10648]

N-K BROADCASTING CO.

## ORDER TO SHOW CAUSE AND SCHEDULING HEARING

In the matter of revocation order to be directed to Nicholas William Kuris and Gladys Kuris, d/b as N-K Broadcasting Company, Muskegon, Michigan; Docket No. 10648.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 20th day of August 1953;

The Commission having under consideration the issuance of an order pursuant to section 312 (a) of the Communications Act of 1934, as amended, directed to Nicholas William Kuris and Gladys Kuris, d/b as N-K Broadcasting Company, licensees of radio station WKNK, Muskegon, Michigan, to show cause why an Order of Revocation of station license should not be issued for violating section 318 of the Communications Act of 1934, as amended, by permitting radio broadcasting station WKNK to be operated by unlicensed operators; for violating § 3.165 of the Commission's rules, by permitting radio broadcasting station WKNK during periods of directional operation to be operated by persons not holding the grade of license required thereby, at various times between June 6 and July 16, 1953; for violating §§ 3.165 and 13.61 of the Commission's rules by failing to have in regular full-time employment at the station one or more radiotelephone first class operators; for violating § 3.181 of the Commission's rules by permitting the improper maintenance of the operating log; for violating the terms of the station license by permitting station WKNK to be operated below authorized power; for violating the terms of the station license by permitting station WKNK to be operated with a defective phase monitor; and for violating the terms of the station license by failing to light the antenna tower and maintain a beacon light thereon in accordance with the tower lighting specifications; and

It appearing, that Nicholas William Kuris and Gladys Kuris, licensees of station WKNK, willfully and knowingly, in violation of section 318 of the Communications Act of 1934, as amended, and of § 3.165 of the Commission's rules, permitted unlicensed persons, Ray Caesar and Jack W. Wilson, to operate radio station WKNK at various times during the month of June 1953; and

It further appearing, that the licensees of station WKNK in violation of §§ 3.165 and 13.61 of the Commission's rules permitted operation of Station WKNK by persons not holding radiotelephone first class operator licenses at various times between June 6, 1953, and July 16, 1953, while the station was operating with a directional antenna and that during such periods, no other person holding a radiotelephone first class operator license was on duty at the station; and

It further appearing, that the licensees of Station WKNK in violation of § 3.165 (c) did not have in regular full-time em-

ployment at the station one or more radiotelephone first class operators from June 10, 1953, to July 13, 1953; and

It further appearing, that on June 6, 1953, and thereafter until June 28, 1953, no entries were made in the operating log of Station WKNK showing the time the carrier or programs went off the air; that on June 14, 1953, no entries were made in the operating log after 8:25 a. m., and no record of transmitter performance measurements were made from January 1, 1952, to July 16, 1953, all in violation of § 3.181 of the Commission's rules; and

It further appearing, that the licensees of Station WKNK, in violation of the terms of its license and of § 3.57 of the Commission's rules, on July 16, 1953, permitted the operation of Station WKNK with power 13.8 percent below the required power stated in the station license; and

It further appearing, that the licensees of Station WKNK, in violation of the terms of the station license, permitted Station WKNK to be operated with a defective phase monitor during periods of directional operation; and

It further appearing, that the licensees of Station WKNK, in violation of the terms of the station license, failed to maintain in operating condition the beacon light at the top of the station antenna tower and other aircraft obstruction lights on the tower at various times between January 16, 1953, and July 16, 1953; and

It further appearing, that the above acts on the part of the licensees of Station WKNK were willful;

It is ordered, Pursuant to Section 312 (c) of the Communications Act of 1934, as amended, that Nicholas William Kuris and Gladys Kuris, licensees of Station WKNK be and they are hereby directed to show cause why there should not be issued an order revoking their radio station license; and

It is further ordered, That a hearing in this matter will be held in the Commission's offices, Twelfth and Pennsylvania Avenue NW., Washington 25, D. C., on the 24th day of September 1953, in order to determine whether said order of revocation should be issued, and that Nicholas William Kuris and Gladys Kuris are herewith called upon to appear at this hearing and give evidence upon the matter specified herein; and

It is further ordered, Pursuant to § 1.402 of the Commission's rules, that said Nicholas William Kuris and Gladys Kuris are directed to file with the Commission within ten days of the receipt of this order a written appearance in triplicate, stating that they will appear and present evidence on the matters specified in this order if they desire to avail themselves of the opportunity to appear before the Commission. If said Nicholas William Kuris and Gladys Kuris do not desire to appear before the Commission to give evidence on the matters specified herein, they shall, within ten days of the receipt of this order, file with the Commission, in triplicate, a written waiver of hearing. Such waiver may be accompanied by a statement of reasons why Nicholas William Kuris and

Gladys Kuris believe that a revocation order should not be issued; and

It is further ordered, That failure of said Nicholas William Kuris and Gladys Kuris timely to respond to this order or failure to appear at the hearing designated herein will be deemed a waiver of hearing.

Released: August 21, 1953.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] Wm. P. MASSING,  
Acting Secretary.

[F. R. Doc. 53-7537; Filed, Aug. 27, 1953; 8:48 a. m.]

# FEDERAL POWER COMMISSION

[Docket No. E-6515]

DETROIT EDISON CO.

## NOTICE OF APPLICATION FOR AUTHORIZATION TO EXPORT ELECTRIC ENERGY

August 24, 1953.

Notice is hereby given that pursuant to the provisions of section 202 (e) of the Federal Power Act, U. S. C. 824 (a) Detroit Edison Company (Applicant) on August 18, 1953, filed with the Federal Power Commission an application for authorization by the Commission to export to the Hydro-Electric Power Commission of Ontario up to 250,000,000 kilowatthours of electric energy annually at a maximum rate of 300,000 kw/h over a 120,000 volt overhead interconnecting transmission line crossing the Detroit River between Detroit, Michigan, and Windsor, Ontario, and a 115,000 volt overhead interconnecting transmission line crossing the St. Clair River between Marysville, Michigan, and Sarnia, Ontario.

Any person desiring to be heard or to make any protest with reference to the application should, on or before September 11, 1953, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL]

J. H. GUTHRIE,  
Acting Secretary.

[F. R. Doc. 53-7533; Filed, Aug. 27, 1953; 8:47 a. m.]

[Docket No. E-6517]

SIERRA PACIFIC POWER CO.

## NOTICE OF APPLICATION

August 24, 1953.

Take notice that on August 21, 1953, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Sierra Pacific Power Company ("Applicant") a corporation organized under the laws of the State of Maine and doing business in the States of California and Nevada, with its principal business office at Reno, Nevada, seeking an order authorizing the issuance of \$3,000,000 face amount of

unsecured promissory notes payable to such bank or banks from which Applicant may borrow funds. The proposed notes will be issued for periods not exceeding 12 months from the date of original issue or renewal thereof, as the case may be, such notes issued either originally or upon renewal from time to time to have maturity dates not later than December 31, 1954; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 11th day of September 1953, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL]

J. H. GUTRIDE,  
Acting Secretary.

[F. R. Doc. 53-7531; Filed, Aug. 27, 1953;  
8:46 a. m.]

[Docket No. E-6518]

KANSAS GAS AND ELECTRIC CO.

## NOTICE OF APPLICATION

AUGUST 24, 1953.

Take notice that on August 21, 1953, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Kansas Gas and Electric Company ("Applicant") a corporation organized under the laws of the State of West Virginia and doing business in the State of Kansas, with its principal business office at Wichita, Kansas, seeking an order authorizing the issuance of \$10,000,000 Principal Amount of First Mortgage Bonds, — percent Series due 1983, and 50,000 Shares of Serial Preferred Stock. Applicant intends on or about September 24, 1953, publicly to invite sealed, written proposals for the purchase of said Bonds. All bids submitted in response to such Public Invitation will be opened on or about October 5, 1953. Applicant requests exemption from the competitive bidding requirements of the Commission's rules and regulations, to the extent required, so that Applicant may negotiate for the sale or underwriting of the Serial Preferred Stock; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 14th day of September 1953, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL]

J. H. GUTRIDE,  
Acting Secretary.

[F. R. Doc. 53-7532; Filed, Aug. 27, 1953;  
8:46 a. m.]

## GENERAL SERVICES ADMINISTRATION

## SECRETARY OF DEFENSE

DELEGATION OF AUTHORITY TO REPRESENT EXECUTIVE AGENCIES IN THE MATTER OF GOVERNMENT FREIGHT; CALIFORNIA POINTS; INCREASED RATES

1. Pursuant to the provisions of sections 201 (a) (4) and 205 (d) and (e) of the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended, authority to represent the interests of the executive agencies of the Federal Government in the matter of Government Freight; California Points, Increased Rates, I. & S. Docket No. M-4994, before the Interstate Commerce Commission, is hereby delegated to the Secretary of Defense.

2. The Secretary of Defense is hereby authorized to redelegate any of the authority contained herein to any officer, official or employee of the Department of Defense.

3. The authority conferred herein shall be exercised in accordance with the policies, procedures and controls prescribed by the General Services Administration and shall further be exercised in cooperation with the responsible officers, officials and employees of such Administration.

4. This delegation of authority shall be effective as of the date hereof.

Dated: August 25, 1953.

EDMUND F. MANSURE,  
Administrator

[F. R. Doc. 53-7580; Filed, Aug. 26, 1953;  
3:28 p. m.]

## OFFICE OF DEFENSE MOBILIZATION

[ODM (DPA) Request No. 19-DPAV-29 (a)]

E. A. LABORATORIES, INC.

DELETION FROM LIST OF COMPANIES ACCEPTING REQUEST TO PARTICIPATE IN ACTIVITIES OF ARMY ORDNANCE CORPS INTEGRATION COMMITTEE ON M48 TYPE FUZES

Pursuant to section 708 of the Defense Production Act of 1950, as amended, there is herewith published the name of the following company which has been deleted from the list of companies accepting the request to participate in the activities of the Army Ordnance Corps Integration Committee on M48 Type Fuzes, in accordance with the voluntary plan entitled "Plan and Regulations of Ordnance Corps Governing the Integration Committee on M48 Type Fuzes," dated August 13, 1951. The request was published in 17 F. R. 3363, on April 15, 1952.

E. A. Laboratories, Inc., 138 Spencer Street, Brooklyn 5, N. Y.

(Sec. 708, 67 Stat. 129, Pub. Law 95, 83d Cong., E. O. 10480, August 14, 1953, 18 F. R. 4939)

Dated: August 26, 1953.

ARTHUR S. FLEMMING,  
Director

[F. R. Doc. 53-7587; Filed, Aug. 26, 1953;  
3:28 p. m.]

## SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2801]

STANDARD GAS AND ELECTRIC CO. ET AL.

NOTICE OF FILING OF SUPPLEMENTAL APPLICATION-DECLARATION REGARDING PROPOSAL BY SUB-HOLDING COMPANY TO ISSUE TO PARENT ONE YEAR NOTE IN LIEU OF OPEN ACCOUNT INDEBTEDNESS

AUGUST 24, 1953.

In the matter of Standard Gas and Electric Company, Philadelphia Company and Duquesne Light Company.

Notice is hereby given that Standard Gas and Electric Company ("Standard") a registered holding company, and its registered holding company subsidiary, Philadelphia Company ("Philadelphia") have filed with this Commission, under sections 6 (a), 7, 8, and 10 of the Public Utility Holding Company Act of 1935 ("act"), a joint supplemental application-declaration for approval of the issue by Philadelphia to Standard of a one-year note for \$2,500,000 in lieu of and in substitution for a like amount of open account indebtedness.

All interested persons are referred to the supplemental application-declaration on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

The Commission by order issued March 25, 1952, authorized Standard to lend Philadelphia \$2,500,000 on open account at the prime interest rate for short-term commercial bank loans prevailing at the time of said loan. Pursuant to such authorization the loan was made on March 31, 1952, at an interest rate of 3 percent per annum. The loan has not been repaid and continues to bear interest at the rate of 3 percent per annum.

Applicants-declarants propose that in substitution for and in consideration of the discharge and cancellation of its presently existing open account indebtedness Philadelphia will issue to Standard a promissory note maturing twelve months from date of issue, prepayable in whole or in part at any time, and bearing interest at the prime interest rate prevailing for short-term commercial bank loans at the date of issue of the note.

Applicants-declarants state that since the making of said loan, money rates have increased, that the prime interest rate now prevailing for short-term commercial bank loans is 3¼ percent, that the loan in its present form may be called at any time, that in order to insure its orderly and expeditious liquidation, in compliance with the Commission's order dated June 1, 1948, Philadelphia desires to have said indebtedness replaced by a note having a definite and fixed maturity date; and that Standard, in view of the increase in the prime interest rate and the fact that it now appears the loan may be outstanding considerably longer than originally anticipated, desires to increase the rate of interest in connection with substituting a fixed maturity obligation for the open account.

Notice is further given that any interested person may, not later than September 11, 1953, at 5:30 p. m., request in writing that a hearing be held in respect of such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said supplemental application-declaration which he desires to controvert, or he may request that he be notified should the Commission order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street, N.W., Washington 25, D. C. At any time after September 11, 1953, the Commission may grant and permit to become effective said supplemental application-declaration, as filed or as amended, as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt the proposed transactions as provided in Rule U-20 (a) or Rule U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 53-7534; Filed, Aug. 27, 1953;  
8:47 a. m.]

## INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 28388]

BOOT AND SHOE FACTORY SUPPLIES IN  
MIXED CARLOADS FROM BOSTON, MASS.,  
TO NASHVILLE AND FAYETTEVILLE, TENN.

APPLICATION FOR RELIEF

AUGUST 25, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: I. N. Doe, Agent, for carriers parties to his tariff I. C. C. No. 610, Supp. 31.

Commodities involved: Boot and shoe factory supplies, in mixed carloads.

From: Boston, Mass.

To: Nashville and Fayetteville, Tenn.

Grounds for relief: Competition with rail carriers, circuitous routes, competition with motor carriers.

Schedules filed containing proposed rates: I. N. Doe's tariff I. C. C. No. 610, Supp. 31.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,  
Acting Secretary.

[F. R. Doc. 53-7545; Filed, Aug. 27, 1953;  
8:50 a. m.]

[4th Sec. Application 28389]

CRUDE PETROLEUM OIL FROM CERTAIN  
POINTS IN MONTANA TO BILLINGS, EAST  
BILLINGS, AND LAUREL, MONT.

APPLICATION FOR RELIEF

AUGUST 25, 1953.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: Great Northern Railway Company.

Commodities involved: Crude petroleum oil in tank-car loads.

From: Richey, Mont., and other specified points in Montana.

To: Billings, East Billings and Laurel, Mont.

Grounds for relief: Market competition, cross country competition.

Schedules filed containing proposed rates: Great Northern Railway Company's tariff I. C. C. No. A-8015, Supp. 57.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,  
Acting Secretary.

[F. R. Doc. 53-7546; Filed, Aug. 27, 1953;  
8:50 a. m.]

[Rev. S. O. 562, Taylor's I. C. C. Order 24-A]

## SACRAMENTO NORTHERN RAILWAY REROUTING OR DIVERSION OF TRAFFIC

Upon further consideration of Taylor's I. C. C. Order No. 24, and good cause appearing therefor: *It is ordered*, That:

(a) Taylor's I. C. C. Order No. 24 be, and it is hereby vacated and set aside.

(b) Effective date: This order shall become effective at 10:00 a. m., August 24, 1953.

*It is further ordered*, That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., August 24, 1953.

INTERSTATE COMMERCE  
COMMISSION,  
CHARLES W. TAYLOR,  
Agent.

[F. R. Doc. 53-7547; Filed, Aug. 27, 1953;  
8:50 a. m.]

